Finding the Juste Milieu: The Impact of Europeanization on National Sovereignty

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FINDING THE *JUSTE MILIEU*

THE IMPACT OF EUROPEANIZATION ON NATIONAL SOVEREIGNTY

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Abstract

This thesis analyzes the impact of Europeanization on national sovereignty, through a case study examining the French experience between the Maastricht Treaty of the early 1990s and the Treaty of Lisbon in present day. It approaches the study of Europeanization and French national sovereignty from two directions, addressing both political and social sovereignty. While Europeanization and European integration are most identified with the economic realm, examining political and social sovereignty allows for the development of an understanding of how Europeanization operates as a top-down process. Europeanization began on the supranational level, bringing the states together economically. It then developed on the interstate level, bringing together leaders politically. Currently, it is expanding to the subnational level, uniting the people of all member states socially. Because of this progression, Europeanization has had the most impact on economic sovereignty, less on political sovereignty and the least on social sovereignty. Though Europeanization and national sovereignty are traditionally seen as locked in an either/or battle, this study of France's experience with political and social sovereignty throughout the past twenty years suggests that Europeanization is not destroying national sovereignty, but rather, allowing for a reinterpretation of national sovereignty and the relationship between nation-states and international actors.

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Chapter 1: Introduction

For 300 years a specific notion of sovereignty has existed in the international system. The Peace of Westphalia signed in 1648 gave birth to the nation-state and concurrently formally recognized the sovereignty of the ruler of the state. With the creation of the European Union (EU), originally the European Coal and Steel Community (ECSC), in 1951, this sovereignty was first called into question. Originally, the ECSC consisted of six members: France, Germany, Italy, Belgium, the Netherlands and Luxembourg, brought together in an economic union. However, over time, the size and the scope of the organizations have evolved, culminating in the creation of the European Union (See Table 1.1). Today, as an international union, consisting of 27 member states spanning Europe and a variety of governing organizations, the EU is redefining the shape of the international system and the role of sovereignty. The institutions of the European Union bring member states together in the realms of political, economic, and social policy, providing a means for unified action and decision-making on the world stage.

In order to gain the benefits of membership in the EU, there are costs that member states must incur as well. In many cases, member states relinquish sovereignty to the governing bodies of the EU, such as the European Council, the European Parliament and the European Commission. The EU can be a source of great opportunity, but many member states perceive it as a challenge as well. As the EU grows increasingly larger, the role that individual member states play in regulating certain areas of economic, social, and political policy is decreasing. With the creation of the single market, national leaders lost control over their monetary policy. In the political sphere, member states must now

Table 1.1 - Major European Treaties[1]

Name	Dates	Accomplishments
Treaty Establishing the European Coal and Steel Community	Signed – April 18, 1951 Effective – July 23, 1952	Established the basis of what would become the EU through the creation of a common coal and steel marketplace
Treaty of Rome	Signed – March 25, 1957 Effective – January 1, 1958	Formally established the European Economic Community (EEC), expanded the common market
Merger Treaty	Signed – April 8, 1965 Effective – July 1, 1967	Established the Council and the Commission for the European member states
Single European Act	Signed – February 28, 1986 Effective – July 1, 1987	Established the conditions that would lead to the creation of a single market
Treaty on European Union (Maastricht Treaty)	Signed – February 2, 1992 Effective – November 1, 2003	Provided for the further elaboration of the single market, enumerated the political and social implications of economic integration, created the EU
Treaty of Amsterdam	Signed – October 7, 1992 Effective – May 1, 1999	Amended the previous treaties especially Maastricht and built on the changes that had been put in place by Maastricht
Treaty of Nice	Signed – February 26, 2001 Effective – February 1, 2003	Ensure the EU's effectiveness after its enlargement to 25 member states
Treaty of Lisbon	Signed – December 13, 2007	After the failure of the Treaty for a European Constitution, provided for the further integration of the member states through an emphasis on the rights of citizens

[1] Europa, "Treaties and Laws," http://europa.eu/abc/treaties/index_en.htm; Karen Smith, *European Union Foreign Policy in a Changing World* (Cambridge: Polity Press, 2009).

come together to make decisions, an increasing number of which are made in Brussels. As the EU expands politically and economically, social implications of integration come to light as well. With the creation of European citizenship and the rights afforded to those citizens, the boundaries between the member states become permeable, leading to increased immigration and posing a threat to national identity in the member states.

The impacts of EU membership can be seen in both a positive and negative light. The EU gives member states the power to act collectively and more effectively in certain areas, but also forces them to accept EU control and authority. As such, member states and the EU alike are reevaluating their relationship to one another and their respective roles in the international system. This reassessment is the basis for the study that will unfold over the next six chapters: a study of the impact of Europeanization on national sovereignty. The interaction of these two forces will impact the future of the European Union and its relationship with the EU member states and consequently, the international system overall.

Defined simply, Europeanization refers to the strengthening of structures of governance on the European level.[2] A study of Europeanization examines the increasing role of institutions on the European level, as seen through legislation, and suggests that over the past twenty years, the strength of the EU has been increasing, making it a more effective international actor. The process of Europeanization has enabled the EU to develop from an intergovernmental organization to one that is more supranational. As an

[2] Maria Green Cowles, James Caporaso, and Thomas Risse, "Europeanization and Domestic Change: Introduction," in *Transforming Europe: Europeanization and Domestic Change* (Ithaca: Cornell University Press, 2001), 1.

intergovernmental organization, the integration of the EU was originally driven by the states as they pursue their national interests. However, as the EU becomes more supranational, the governing bodies of the EU take a more active role, acting in European interest above the level of the states.[3] Necessarily, the increasing effectiveness of such structures on the European level impacts the way in which affairs are undertaken on a national level. The power and authority given to these institutions does not appear out of thin air; it must come from somewhere…the member states.

Effective Europeanization requires a redistribution of power between the member states and the European Union. Consequently, the process poses an interesting question: what is the impact of Europeanization on domestic regimes? More specifically, how does Europeanization impact national sovereignty? These questions are both very broad and would require extensive studies to formulate an adequate answer. More manageable, however, would be an examination of changes that have occurred within specific member states to provide insight into the complex process of Europeanization in the EU as a whole. The conclusions of this micro level study about the process of Europeanization and its domestic impact can be expanded and applied to come to a greater understanding of Europeanization and its possibilities for the future.

The experience of all the EU member states cannot possibly be effectively analyzed in this study, so it will need to focus on a single state. Because of the peculiarity of France's attitude toward Europeanization, it will be the focus of this project. The French people, political leaders and the general population alike, have a

[3] John McCormick, *The European Union: Politics and Policies* (Boulder, CO: Westview Press, 2004), 16-30.

very specific conception of the role that the EU should play in the international system and how it should be related to the member states. The French envision a Europe of states, which enables interstate cooperation, but still allows states to retain the freedom to support or oppose European policies.[4] The EU should be a corollary to, not a replacement for, the nation-state. This vision of Europe reflects the exceptionalism that has long characterized French domestic sovereignty: economic, political, and social. In all three realms, the state has played a critical role through *étatisme, Colbertisme* and *l'identité française*.[5] The centrality of the French state is directly threatened by the principles of Europeanization. The process of Europeanization has highlighted the inherent conflict between EU membership and the sovereignty of the French state. However, despite the conflict, France has continued to take part in the EU, even as its role increases at the expense of the nation-state. Consequently, Europeanization must be having an observable impact on sovereignty in France.

As such, the focus of this research project will be developing an answer to the following question: how does Europeanization impact French national sovereignty? As a process, Europeanization occurs across three different spheres: economic, political, and social. When Europeanization is successful in sphere, it will lead to closer integration, economic, political, or social, depending on the sphere affected. However, on the contrary, when not as successful, Europeanization can lead to an emergence of strongly

[4] Ronald Tiersky, *France in the New Europe: Changing Yet Steadfast* (Belmont, CA: Wadsworth Co., 1994), 3-11.
[5] Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, Harvard University Press, 1992), 39-49; Michel R. Gueldry, *France and European Integration Toward a Transnational Polity?* (New York: Praeger, 2001), 15-19, 70-74; Jack Hayward, *Fragmented France* (Oxford: Oxford University Press, 2007), 41-45.

nationalistic movements, designed to resist the encroachment of the EU. The possibilities of Europeanization can be great; but when met with resistance, it can be stopped dead in its track. As such, it is important to understand the way in which the process occurs to be able to predict its success across the economic, political, and social spheres.

Within a France, or other member state, is the impact of Europeanization consistent across these three different spheres of sovereignty or is the extent to which sovereignty is upheld or conceded dependent on the sphere concerned? The short answer is: the impact of Europeanization is not consistent and is in fact highly dependent of the sphere of sovereignty that is being studied. This difference across spheres is due in large part to the construction and development of the EU. When it was founded in 1952, the European Union, then the ECSC was first and foremost economic.[6] It is only logical that member states are most willing to transfer economic sovereignty because the leaders and population alike have had the most time to come to terms with what the transfer of economic sovereignty means and what its implications are for them. Today, France and other states, have relinquished a significant amount of economic control, with much of monetary policy controlled on the European level. Though the French are not necessarily the most vocal proponents of economic integration, they realize that there are many benefits that come along with, and outweigh, the sacrifices.

The political institutions of the EU were created after economic integration began in an effort to regulate economic cooperation between the member states and enable further integration. Until the 1990s however, the political institutions did not take on a

[6] Europa, "History of the European Union," Gateway to the European Union, http://europa.eu/about-eu/eu-history/index_en.htm.

significant role beyond the economic realm. However, with the Maastricht Treaty, the political reach of the EU was strengthened.[7] The political integration proposed by Maastricht and subsequent treaties was not a shock to the member states, then, but was something unfamiliar, that had always taken a back seat to economic integration. With the increased economic cooperation proposed by the Single European Act, France and the other member states realized it was necessary to provide for further political regulation of the economic realm by increasing the strength and the effectiveness of the European Union's institutions. However, political integration did not go unchecked, as each successive treaty continued to make reference to the nation-states and place restrictions on the EU.

As economic and political integration increase, Europeanization extends into the newest realm: social integration. Before the 1990s, the EU was really a distant body for many of the citizens of the EU, as they were not directly affected by it. Economic and political integration had a more significant impact on the state and its relationship with other states and the EU than on the lives of average citizens. However, with the proposition of increased economic and political union, there was a direct spillover into the social realm. Social integration, in a way, is meant to compensate for some of the less popular aspects of economic and political integration. As the relationship between the citizens, the member states and the EU are shuffled, the extension of social rights on the European level can assure citizens that their interests will be protected, even as the member state loses a degree of control. Increased economic integration, through the

[7] Ibid.

creation of a single currency, meant that the European Union would soon become an entity that the citizens of member states were exposed to everyday. When combined with the increased visibility of the EU through ratification debates and political participation, the EU was no longer something that citizens could escape or ignore.[8]

Thus, the process of Europeanization has had a spillover effect. Europeanization began in the economic realm and extended into the political realm, where it was strengthened and developed. From the economic and political realms, it is now spreading into the social realm. Thus, the degree of integration is not consistent across all three realms of sovereignty. The impact that Europeanization has (or has not) had is not just dependent on the strength of the institutions and legislations on the European level, but is also highly correlated with the conception that member states have of their national sovereignty and the degree to which they are willing to relinquish some of that sovereignty in favor of pursuing the larger goals of the EU.

National sovereignty refers to the authority that nation-states have over their economic, political, and social policies.[9] Often, political leaders and the general population equate national sovereignty with the autonomy and independence of their state. Common political, social, and economic conceptions bring members of a nation-state together, defining an "us" (the nation) against the "them" that exists outside of national boundaries. The nation shares a political and economic system as well as a national identity. In France, these notions are all wrapped up together in the

[8] Ibid.
[9] Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), 3-10.

understanding of national sovereignty. [10]

National sovereignty plays a particularly important role within the European Union. In order for states to obtain the economic, political, and social benefits of membership in the EU, they have to give up some of their sovereignty (in one or more realms, depending on the policies enacted). If states are giving up a degree of their unique sovereignty in favor of that which comes from the EU, then the line between "us" and "them" becomes blurred. Thus, the process of Europeanization becomes extremely complicated. Not only must there be a strengthening of institutions of governance within the EU, but the member states must also be willing to relinquish some of their sovereignty as well. Because of the strong correlation between national sovereignty, independence and autonomy, the proposed impact of Europeanization on national sovereignty is often met with reluctance and opposition.

In France, particularly, national sovereignty is especially valued and guarded, by both political elites and the general population. French national sovereignty is often synonymous with the notion of French exceptionalism; the French state, economic system, culture and people are unique in the world. Many peculiarities of the French can be explained by merely attributing them to French exceptionalism. In France, there is a very specific conception of national sovereignty that links the nation-state, the nation and the state. The state plays a central role in all spheres: economic, political and social. Consequently, French national identity, though based in French culture, also incorporates

[10] Martin Marcussen et al., "Constructing Europe? The evolution of French, British and German nation state identities," *Journal of European Public Policy* 6, no. 4 (Special Issue 1999): 619-622; Brubaker, 21-49.

political and economic elements as well. Because of the all-encompassing conception of national identity and national sovereignty, a threat in one realm (economic, political, or social), has vast implications that threaten the overall understanding of what it means to be French.[11]

As a result of French exceptionalism, the French have been very wary of Europeanization and the impact that it will have on their identity and sovereignty. However, this is not to say that the French are completely opposed to the possibility of Europeanization. Rather, in some ways, it's quite the opposite. Table 1.2 illustrates the opinion of the EU that has been held by French presidents throughout much of its history. There is not a consistent trend of pro-European attitudes or Euroskepticism. However, over time, French politicians, though remaining skeptical, have become increasingly open to the idea of a more powerful EU. This dichotomous approach to Europeanization can be attributed once again to the peculiarities of French exceptionalism. The French have a very specific understanding of the shape that the EU should take in the future. They want to see a Europe of states, wherein the individual member states retain their sovereignty and can decide whether or not they want to cooperate with the policies of the EU.[12] If the French believe that Europeanization is moving them in that direction, then they are more than willing to support Europeanization and the legislation that enables it. However, if the future envisioned by the leaders of the EU does not match with the ideal picture held

[11] Brubaker, 43-49; Tiersky, 14-19.
[12] European Parliament, "MEP debated forthcoming crucial Lisbon summit and new Reform Treaty," October 2007, http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+IM-PRESS+20071008BRI11349+ITEM-002-EN+DOC+XML+V0//EN&language=EN; Commission of the European Communities, *Eurobarometer Flash*: *Quelle Europe? Les Français et la construction européenne*, May 2009.

by the French, then the French become very reluctant to accept Europeanization. The French, then, can be either a great proponent for or opponent of Europeanization. As one of the states with the most specific conception of its identity and the role of the European Union, studying its reaction to Europeanization provides important insights into the possibilities for integration in the future.

Table 1.2 – French Presidents and Europe[13]

Name	Date	European Attitude	EU Milestone while in Office
Charles de Gaulle	1959-1969	Gaullist: Euroskeptic, wanted to assure France's interests were upheld	Empty Chair Crisis
Georges Pompidou	1969-1974	More open to the EU than de Gaulle, but still cautious	Great Britain, Denmark and Ireland become the first states to join the founding members
Valéry Giscard d'Estaing	1974-1981	Giscardist: pro-European, supported integration and enlargement	First direct election of the European Parliament
François Mitterrand	1981-1995	Supported a confederal view of Europe, wanted integration rather than enlargement	Single European Act, The Treaty on European Union
Jacques Chirac	1995- 2007	Tried to balance Gaullist tradition with the benefits of openness to the EU	Treaty of Amsterdam, Treaty of Nice, failed EU Constitution
Nicolas Sarkozy	2007 - present	Supports an EU aligned with the French vision, has become more pro-European through his involvement with the EU	Treaty of Lisbon

[13] Alain Guyomarch, Howard Machine and Ella Ritchie, *France in the European Union* (New York: St. Martin's Press, 1998), 24-29, 84- 87; Nicolas Sarkozy, "Speech to the European Parliament," Strasbourg, December 2008, http://www.ambafrance-uk.org/President-Sarkozy-s-speech-to,14165.html; Nicolas Sarkozy, "Speech after the passing of the bill authorizing the ratification of the Lisbon Treaty," Paris, February 2008, http://ambafrance-in.org/france_inde/spip.php?article4282; Europa, "History of the European Union.

The study that unfolds throughout the next six chapters will concentrate heavily on how the French have reacted to Europeanization in two realms: social and political. Though economic integration is important, its formative years took place largely before the 1990s, when this study begins. Both the political and social realms are areas in which integration has been a relatively recent notion. Despite the challenges that Europeanization faces in France, the French have not been vehemently opposed to either the social or political implications of European integration. So long as Europeanization progresses slowly and cautiously, with respect to the more critical elements of national sovereignty, the member states of the EU can become more closely integrated.

Understanding the motivation behind the French reaction to changes in these spheres will provide insight into the possibility of further integration due to Europeanization in the future. If France, though reluctant, transfers political sovereignty, for example, then there is a high probability that other member states that are less jealous of political sovereignty will transfer their sovereignty as well. A transfer of political sovereignty throughout the European Union would suggest that in the future, it might be able to effectively replace the nation-state politically. However, if France is not willing to transfer social sovereignty, for example, then it is unlikely that the European Union could ever replace the nation-state socially. Though at present there are 27 member states that make up the European Union, integration can only go as far as the most reluctant member state is willing to let it go. France, with its extremely particular view of the future of the EU, is often one of the most reluctant states and is vocal about its opposition. Thus, observations about France's reaction to Europeanization can provide

important insights into the future of the EU and its ability to be an effective international actor. Based on these observations, conclusions can be drawn about the ability of the European Union and the process of Europeanization to lead to political, economic, and social changes within the member states.

Despite the reservations of France and other member states, the leaders of the European Union continue to encourage further integration through Europeanization. Europeanization has been particularly active in the political and social realms over the past twenty years, the time period around which this study centers. Both political and social integration were reinvigorated by the Maastricht Treaty in 1992 and further strengthened by the Treaty of Lisbon in 2007. Studying the impact of these two treaties, both on the European level and the domestic level, provides important insights into how the process of Europeanization evolves over time. The political and social spheres will be examined separately, but with a similar approach: utilizing the texts of the Treaties alongside elite discourse, public opinion, and relevant secondary sources. These two studies will lend insight into understanding the balance of power between the European Union institutions and the member states, as well as shifts that have occurred in that balance. Furthermore, examining political and social sovereignty in France at two time periods will enable conclusions to be drawn about the nature of Europeanization as a process. The data gathered from this case study will be the basis for the formulation of a theory developed to answer the question driving this study, suggesting how Europeanization is impacting the different spheres of sovereignty in France.

In brief, Europeanization is having an impact across all spheres of national

sovereignty. Economic integration is incredibly strong, which has enabled Europeanization to have a moderate impact in the political sphere and a limited, but still significant, impact on domestic social policies. The progression of Europeanization is very closely related to perceived impact of integration in that realm, as well as the amount of time that the Europeanization has been relevant in that sphere. As such, integration is most developed in the economic realm, with the political realm following fairly close behind and the social realm lagging a bit. However, Europeanization, as suggested countless times, is a process. It does not occur overnight and the extent of economic integration that exists today has been the result of more than fifty years of cooperation. These observations suggest that in the future, the European Union may potentially replace that state in the political realm, but will never take the place of the nation-state or the nation socially.

The development of this answer can be traced throughout the five chapters that follow this chapter, which provide an introduction and overview of Europeanization and national sovereignty and an in depth study of the questions that their relationship pose about the future of the European Union and the international system. Chapter 2 allows for a deeper understanding of Europeanization, national sovereignty, and French exceptionalism. It also summarizes the historical evolution and current state of research as pertains to these three important topics and their interaction. Chapter 3 details more thoroughly the logic behind this research study including the theory that will guide the study and the specific methods that will be utilized. Chapters 4 and 5 are the essence of the empirical study of the impact of Europeanization on national sovereignty, specifically

French national sovereignty. The result of the studies undertaken in these two chapters will enable the formation of conclusions about the future direction of Europeanization, both domestically and internationally. Chapter 4 focuses on the ways in which the domestic political system has been altered as a result of Europeanization, examining two important moments in European history: the Maastricht Treaty and the Treaty of Lisbon, as well as tracing political changes over that twenty year period. Chapter 5 contains an in-depth analysis of the somewhat limited impact of Europeanization on French social sovereignty, utilizing the same two moments as the study of political integration. Chapters 4 and 5 each provide brief background of the relevant sphere of sovereignty as well as an analysis of the Maastricht Treaty and the Treaty of Lisbon and corresponding public opinion surveys and elite discourse. This analysis will be corroborated by pertinent secondary sources. Chapter 6 will bring together the findings of the previous chapters to explain the answers to the overarching questions posed by a study of Europeanization and national sovereignty. The conclusion will also provide an opportunity to address the larger implications that this study has for Europeanization, the European Union, and its member states.

Chapter 2: Literature Review

Since its inception in the 1950s, the European Union has taken on several different forms, each with unique structures and distribution of power. The EU has grown from six member states to 27. It has evolved from merely an economic union, to a community of states that is politically and socially integrated as well. Suffice it to say, the European Union that exists today is much larger and more powerful than any of its founders would probably ever have believed.

Though the EU has grown tremendously in size, now encompassing nearly 500 million citizens in almost as many square kilometers, it has also become smaller through closer integration. Integration in the EU, in the economic, political, and social realms, is due in large part to the process of Europeanization, defined as "the emergence and development on the European level of distinct structures of governance."[1] Europeanization has important implications not only for the European Union as a supranational organization, but for the member states as well. As the structures of governance are developed, increasing the power and strength of the EU, the member states must relinquish a degree of their sovereignty and control as well. Thus, the construction of the EU consists of carefully balancing national sovereignty and the pressures of Europeanization.

Necessarily, as the European Union grows and develops, the role of the member states must change as well with a degree of power being given to the EU. The domestic

[1] Maria Green Cowles, James Caporaso, and Thomas Risse, "Europeanization and Domestic Change: Introduction," in *Transforming Europe: Europeanization and Domestic Change* (Ithaca: Cornell University Press, 2001), 1.

regimes in those member states must shift as well to accommodate the new roles and responsibilities of the EU. Thus, the continued growth and expansion of the EU due to Europeanization poses an interesting question: what is the impact of Europeanization on domestic regimes? More specifically, how does Europeanization impact national sovereignty? Are all elements of national sovereignty impacted to the same extent or is Europeanization more or less effective in certain spheres? Looking at specific EU member states and the changes that have occurred within them can provide insight into understanding Europeanization in the EU as a whole.

France, as one of the founding members of the EU and a state whose sovereignty has long been the object of study by many international political scholars, is also one whose behavior can lend insights into the process of Europeanization. French sovereignty has been associated with exceptionalism: the idea that there is something innately different about the French; their political, economic, and social systems exist nowhere else in the world and cannot be replicated. However, scholars such as Andrew Jack and Ronald Tiersky are questioning whether this tradition of French exceptionalism still holds true in the international system today.[2] This questioning of French exceptionalism, at one point in time, would have never taken place. Its occurrence today speaks volumes about the impact that Europeanization has had on France and its perception by its people and the international community. While France was once considered the paradigm of the powerful EU nation-state, today that is no longer the case.

[2] Andrew Jack, *The French Exception: France - Still So Special?* (New York: Profile Books Ltd, 2001), 1-15; Ronald Tiersky, *France in the New Europe: Changing Yet Steadfast* (Belmont, CA: Wadworths Co., 1994), 1-11.

France's dominance in the EU is diminishing and with it, dialogue about the role of the EU in France and other member states is increasing.

There is a growing realization that changes in French exceptionalism are occurring, lending support to the idea that Europeanization is having a profound impact on national sovereignty within the member states of the EU. It is not enough, however, to say that Europeanization is having an impact. Rather, it is necessary to explore which areas of French sovereignty are being impacted: political, economic, and/or social, in order to understand the implications of Europeanization for the EU has a whole. A wholehearted transfer of sovereignty would suggest the power of the EU as a future international actor, whereas a reluctance to transfer sovereignty suggests that it might always take a back seat to the nation state.

Sovereignty

In order to understand the critical role that sovereignty plays in the European Union as well as how it is related to the idea of French exceptionalism, it is necessary to briefly examine how sovereignty is understood in the international system. One of the challenges that is most often presented by a study of sovereignty is confusion over terminology. Different scholars will refer to the same term but will mean different things. Stephen Krasner's book, *Sovereignty: Organized Hypocrisy*, has been a critical work for clarifying some of this confusion. Within this work, four types of sovereignty are identified: international legal sovereignty, Westphalian sovereignty, domestic

sovereignty, and interdependence sovereignty.[3]

His definitions of the four types of sovereignty, which cannot be sufficiently reworded without losing the essence of their meanings are as follows:

> International legal sovereignty refers to the practices associated with mutual recognition, usually between territorial entities that have formal juridical independence. Westphalian sovereignty refers to political organization based on the exclusion of external actors from authority structures within a given territory. Domestic sovereignty refers to the formal organization of political authority within the state and the ability of public authorities to exercises effective control within the borders of their own polity. Finally, interdependence sovereignty referes to the ability of public authorities to regulate the flow of information, ideas, goods, people, pollutants or capital across the borders of their state.[4]

States in the European Union, such as France, while possessing Westphalian sovereignty, have also relinquished this sovereignty to a degree by recognizing the authority of EU structures, in accordance with international legal sovereignty. As such, the types of sovereignty can coexist, but they can also be exclusionary. An important distinction between the types of sovereignty comes from an understanding of the difference between authority and control. Authority, defined by Krasner is the "mutually recognized right for an actor to engage in specific kinds of activities," whereas control often requires the use of force and is more fleeting.[5] A government may be recognized as the authority, while it may not have much control. Conversely, a regime may have control over the people, but may not be recognized as the governing authority. For the purposes of this study, authority will be the focus and therefore, the types of sovereignty most closely associated with it: international legal sovereignty, Westphalian sovereignty

[3] Stephen Krasner, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999), 3.
[4] Ibid., 4.
[5] Ibid., 10.

and to a certain extent, domestic sovereignty.

The relationship between international legal sovereignty and Westphalian sovereignty is closely related to the process of Europeanization. Krasner writes that "international legal sovereignty is the necessary condition for rulers to compromise voluntarily aspects of the Westphalian sovereignty."[6] This suggests that while states are admittedly renouncing certain aspects in favor of the governing structures of the EU, via international legal sovereignty, they are still able to retain a degree of authority. Thus, Europeanization can be seen as a process that does necessarily eliminate sovereignty entirely, but rather shifts the way that it is conceptualized.

French exceptionalism, as traditionally defined, is closely aligned with the idea of Westphalian sovereignty. The intertwining of political, social, and economic elements in the development of what it means to be French stems from the crucial role that the French state played in the consolidation of the French nation. The threat posed to Westphalian sovereignty by the process of Europeanization, then, does not just threaten the authority of the state, but also shakes the notions of what it means to be French.

French Exceptionalism

The French state and French exceptionalism, while the outcome of many years of state building, are most directly a result of the French Revolution of 1789.[7] The French Revolution impacted four distinct areas in France, contributing to the uniqueness of the French state. First, the French Revolution enabled the creation of a new class within the

[6] Ibid., 19.
[7] Jack Hayward, *Fragmented France* (Oxford: Oxford Unviersity Press, 2007), 41-45.

state, the bourgeois, who were citizens rather than subjects. The extension of rights to a new group was indicative of the rights that all citizens of the state deserved. The equality of citizens was complemented by the second impact of the revolution: the establishment of political rights in addition to civil rights. This began to solidify the new political shape of the French nation-state. The nation-state was also a product of the French revolution, as was the idea of nationalism. Both the French citizen and the foreigner of the French nation emerged during this period. Lastly, a new notion of the state emerged, as the *ancien régime* was abolished and direct membership in the state was encouraged. The French Revolution also established the necessary conditions for the creation of the strong central state that has been so closely associated with France today.[8] The French Revolution gave birth to the nation, the nation-state, and nationalism in France. These elements are crucial to the foundation of French sovereignty that has existed for the past 300 years. Social and economic sovereignty were bound up in the political identity of the state.[9]

The political system that emerged out of the French revolution was one of *étatisme* – the strength of the central authority of the state. The kings of France undertook a period of centralization, bringing many aspects of life, especially social and economic, under the control of the state.[10] Though in theory, representative institutions existed to check the balance of the state, in practice, they were significantly weaker than

[8] Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, Harvard University Press, 1992), 39-42; Hayward, 41-67.
[9] Martin Marcussen et al., "Constructing Europe? The evolution of French, British and German nation state identities," *Journal of European Public Policy* 6, no. 4 (Special Issue 1999): 619-622.
[10] Michel R. Gueldry, *France and European Integration: Toward a Transnational Polity?* (New York: Praeger, 2001), 15-19.

the state and did not have much control. Despite the multitude of government changes, from empire to republic and back again, the central political principles of the French state held strong and authority continued to be concentrated in the hands of the head of state. The form that this head of state took was not continuous, reflecting the instability of French political history. The French people were a powerful force that could be mobilized for change and were often extended political rights in an effort to quell their rebellious nature. Every time a regime change was desired, the whole government system changed as well. In France, there is no concept of peaceful transition.[11] Throughout history the changes that have occurred in France have been deliberate and dramatic.

The strong central state extended easily into the economic sphere of French life as well. As a result of the centralization of the post-Revolutionary period, the state has played a significant role in the French economy.[12] The economic system that resulted, *Colbertisme,* was marked by state control and policies of protectionism as well as a mixture of public and private companies, known as *dirigisme*.[13] This state control was often needed to combat the mediocrity of the French economy. Long based heavily in the agricultural sector, it did not benefit from industrialization in the same way that many other countries did. Consequently, the French have always been protective of their market and their economy. State control has been necessary to encourage the growth and success of the French economy. However, in France there has existed an interesting

[11] Tiersky, 14-19.
[12] Steven P. Kramer, "The End of French Europe?" *Foreign Affairs* 85, no. 4 (July/August 2006): 128; Hayward, 108-113.
[13] Gueldry, 70-74, 230.

dynamic between a free labor market and state control of the economy.[14] This contributes to the unique behavior of the French market as well as the role that it has played (or failed to play) in the international market.

The French Revolution gave rise to a spirit of nationalism and national unity, largely as a result of myths perpetuated by the elites in society.[15] Consequently the French nation and the notion of Frenchness were created by the French state. This nationalism was strictly defined, drawing boundaries between the French citizen and the foreigner.[16] During and after the Revolution, the French elites oversaw the development of myths and symbols, such as the *tricolore* (the French national flag), *Marseillaise* (the battle hymn during the Revolution), and *liberté, fraternité, égalité* (the slogan of the Revolution), to encourage a feeling of commonality amongst the French citizens. Allegiance to French state was paramount and was encouraged by the state itself. The military and education system were used to foster a spirit of nationalism. The state also encouraged a strict policy of assimilation. Foreigners were encouraged to abandon their original identity and assimilate into the French system. As a result, the French have developed a fear of the outsider, seen as a threat to their "Frenchness."[17] The role of the state in the development of French national identity has caused political and cultural aspects of the French state to become deeply intertwined. Citizenship is not only legal but also political and cultural as well.[18] Any change to one aspect of French identity is likely to change how identity as a whole is perceived, threatening not only the notions

[14] Tiersky, 208-217.
[15] Brubaker, 35; Hayward, 42.
[16] Brubaker, 43-48.
[17] Ibid.; Hayward, 42-45.
[18] Brubaker, 49.

that have held true for hundreds of years but also the state itself.[19]

These three aspects of the French state combine to form what is seen to be French exceptionalism, characterized by an emphasis on the sovereignty of the French state. The state has had its hand in almost every aspect of French life, which are all deeply intertwined. A change in one aspect may very well mean a change in others. Though this is not entirely the case today, the sovereignty of the French state is still considered to be crucial, pervading all spheres of life for the French citizens and defining much of their view of the world.[20] Politically, the French state remains highly centralized, with a socialist government that protects its people. While loosening economic controls, the state is still very concerned with the performance of its economy and is doing everything it can to encourage growth and development, despite the restrictions of Economic and Monetary Union (EMU). Socially, the French adhere closely to the traditional notions of French national identity, wary of changes that might threaten its stability.

However, despite this desire to adhere to traditions, France is changing. France is no longer seen as the state to look up to in the EU, the state whose lead should be followed. The French identity and culture that have been so jealously guarded have not been able to avoid the threats of globalization and internationalization. The French economy too, has lost some of what made it so unique and protection by the state is no longer as feasible as it once was.[21] With such a strong tradition and history of dominance in international affairs, what has led to these changes that have occurred? The answer is

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[19] Vivien Schmidt, "Trapped by Their Ideas: French elites' discourses of European integration and globalization," *Journal of European Public Policy* 14, no.7 (October 2007): 995-999.
[20] Tiersky, 1-11.
[21] Ibid., 209-210.

Europeanization.

Europeanization

While the impact of these changes can be seen very simply, it is necessary to uncover why these changes have occurred. What has caused the internationalization of the very specific national identity found in France? Why have the French decision-makers been motivated to change the political structure of France? Why has France been willing to forgo economic protectionism in favor of economic and monetary union (EMU) and the Euro? The answers to these questions are critical for coming to an understanding of how Europeanization impacts domestic regimes and what motivates nation-states, especially those as jealous of their sovereignty as France, to relinquish control to another body. Current studies of Europeanization look broadly at its impact or look specifically at the impact of Europeanization on France, but few use the specific study of the exceptionalism in France to draw broader conclusions about the future of the EU as a whole.

The impact of Europeanization on domestic states has become an increasingly popular topic to examine.[22] Europeanization in general refers to the impact that political, economic, and social institutions in the EU are having on the same structures domestically.[23] Europeanization by definition is neither positive nor negative; it is

[22] Alistair Cole and Helen Drake, "The Europeanization of the French polity: continuity, change and adaptation," *Journal of European Policy* 7, no. 1 (March 2000): 26-28; Cowles, Caporaso, and Risse, 1-3.
[23] Cole and Drake, 26-27.

simply a force that leads to change.[24] In current scholarly work, there is a consensus that the process of Europeanization is impacting domestic politics.[25] Consequently, Europeanization has become a hot topic issue in international relations as scholars strive to understand how the process works and what the impact will be on the nation-state.

Research on the future of the nation-state is nothing new. So long as the European Union has existed, scholars have attempted to understand the way in which structures on the EU level interact with those on the domestic level. Early scholars used a bottom-up approach, which attempted understand the European Union from the perspective of the states. Europeanization was seen as a way for states to enact their own policies and pursue their interests.[26] However, with the evolution of the European Union, the study of Europeanization and the nation-state has evolved as well, leading to the emergence of a top-down theory. This theory has not replaced the bottom up approach entirely, but has become another way to consider the interaction between the EU and the nation-state. The top-down approach to Europeanization holds that because of increased power and a transfer of sovereignty from member states to the EU, the EU is now able to impact the individual nation-states.[27] One of the greatest strengths of the EU in its current form is its ability to assert "adaptational pressure" on the member states to encourage them to change their policies.[28]

Increasing knowledge of the EU, as well as more years of data to reference, has

[24] Cowles, Caporaso, and Risse, 1-5.
[25] Cole and Drake, 26-28; Cowles, Caporaso, and Risse, 1-3; Tiersky, 1-11.
[26] Tanja A. Borzel and Thomas Risse, "Conceptualizing the Domestic Impact of Europe," in *The Politics of Europeanisation*, ed. Keith Featherstone and Claudio Radaelli (Oxford: Oxford University Press, forthcoming), 1-2.
[27] Ibid., 1-3.
[28] Ibid., 2, 6-12; Cole and Drake, 26-28.

enabled scholars to draw up distinctions, such as between top-down and bottom-up theories that were not possible before. Furthermore, a difference can be seen between the similar ideas of European integration and Europeanization. The guide to Eurojargon produced by the European Union defines European integration as "the building of unity between European countries and peoples…countries pool their resources and take many decisions jointly."[29] While integration was once the focus of work pertaining to the EU, the focus has now shifted to the idea of Europeanization: the emergence of governance structures on the EU level. The notion of Europeanization has evolved as well, to include not only the creation of such structures and institutions but also the impact that those institutions have on domestic structures.[30]

A significant contributing factor in the development of scholarship related to the EU has been the evolution of the EU itself. Originally made up of France, Germany, Italy, Belgium, the Netherlands, and Luxembourg, the EU now consists of 27 member states, spanning the continent. An increasing number of member states, in addition to almost 60 years in existence, provide many case studies that can be observed to understand the ways in which Europeanization works. Though there is no doubt that Europeanization impacts domestic regimes, depending on the structure of the state and its history, among other factors, the impact that is felt domestically differs. Tanja Borzel and Thomas Risse highlight three different ways that institutions change domestically, as a result of Europeanization: absorption, accommodation, and transformation. Absorption is the most benign, wherein European policies, processes or institutions are internalized,

[29] Europa, "A Plain Language Guide to Eurojargon," http://europa.eu/abc/eurojargon/index_en.htm.
[30] Cowles, Caporaso, and Risse, 1-4.

but do not significantly alter their domestic counterparts. Accommodation can be seen as the middle ground of Europeanization, as domestic structures are changed to fit European directives, but "without chang[ing] their essential features and the underlying collective understandings attached to them."[31] Transformation is the other extreme on the scale of Europeanization, as domestic policies, processes and institutions are entirely replaced or significantly changed.[32] Whether European policies are absorbed or accommodated by domestic policies or transform domestic policies depends largely on the sphere that the policy addresses: political, economic or social.

Recent scholarship suggests that Europeanization, as a process, does not unfold uniformly. Domestically, Europeanization has impacted different spheres to different extents. In some areas, such as economic policy, the transfer of authority is significant whereas as in others, such as social policy, states are more reluctant to relinquish control. Depending on the existing domestic policies, some states may not be affected significantly by Europeanization.[33] However, in other states like France, where existing domestic policies are based in a strong central state, adopting European policies requires a change in domestic policies as well, either by absorption, accommodation, or transformation. Theses changes in domestic policies necessitate a change in France's perception of sovereignty as well, because the European Union will now be the competent authority where certain issues are addressed. France is one of the states that is most affected by Europeanization, but it is also one that is most reluctant to renounce its

[31] Borzel and Risse, 14.
[32] Ibid., 14.
[33] Vivien Schmidt, "Europeanization and the Mechanics of Economic Policy Adjustment," *Journal of European Public Policy*: 9, no.6 (December 2002): 894-912; Cowles, Caporaso and Risse, 6-9.

sovereignty.

France's perception of the EU and Europeanization has changed many times during its period of membership. Originally seen as an opportunity for France during the "golden age," domestic leaders during the early to mid 1980s saw the EU as a constraint on their policies. In the mid 1980s, the EU was seen as an opportunity once again, but this perception was short lived. In the early 1990s, with the passage of the Treaty on European Union (Maastricht Treaty) that gave more control to the EU, France was once again fearful of the implications of the EU. However, currently, scholarship recognizes the EU as an opportunity for France to reconstruct its tarnished image.[34] Throughout the past fifty years, Europeanization has divided the French. The Gaullist/Giscardist opposition of the 1970s and 1980s has evolved into the conflict between integrationalists and nationalists that dominates debates about the EU presently. [35]

Despite a change in terminology, the issues separating the pro-Europeans from the Euroskeptics at the core remain the same. Pro-Europeans recognize the EU as an opportunity for France to reassert its dominance in the international system whereas Euroskeptics worry about the negative impact that Europeanization might have on French identity and sovereignty. Interestingly, the split between pro-Europeans and Euroskeptics does not occur on traditional political party lines, but rather each viewpoint draws supporters from both the right and the left.[36] Necessarily, this bizarre split has an interesting impact on the domestic political structure in France, leading to much

[34] Cole and Drake, 38-41.
[35] Alain Guyomarch, Howard Machin and Ella Ritchie, *France in the European Union* (New York: St. Martin's Press, 1998), 24-28, 80; Tiersky, 170-171
[36] Guyomarch, Machin, and Ritchie, 8; Tierksy, 129-130.

confusion and uncertainty about France's role (both real and perceived) in the EU.

Much of France's uncertainty as it pertains to the EU and Europeanization stems from the fact that France's ability to control the direction of the EU has been diminished.[37] This shift changed not only how France viewed the EU, but also how scholarship addressed the relationship between France and Europeanization. The ratification of the Maastricht Treaty is seen as a critical moment in the understanding of the France in the European Union. For much of its membership in the European Union, until the 1980s, France was often seen as a force directing the EU, in accordance with the bottom-up approach to EU studies. However, with the Maastricht Treaty in 1992, the focus switched, approaching France from the perspective of the European Union.

While France is still placed at the center of studies pertaining to France and the European Union, the way in which the studies are approached differs. No longer is it taboo to question the authority of France or its power to direct the EU. Rather, scholars agree that Europeanization is effectively diminishing French exceptionalism.[38] However, there is also an increasing understanding of how Europeanization can be compatible and made to function effectively within the traditional structure of the French state.[39] Critical literature has emerged in the social realm, recognizing the ability of citizens to hold multiple identities. This suggests that French citizens are now required less and less to choose between allegiance to their state and the EU, but can be citizens of both France and the EU.[40] Furthermore, it reflects a changing view of the EU by the French and the

[37] Tiersky, 7-8.
[38] Gueldry, 1-14; Guyomarch, Machin, and Ritchie; Jack.
[39] Tiersky, 3-6.
[40] Marcussen et al., 631.

acknowledgement that Europeanization is not necessarily seen as a positive or negative, but rather a very real force that is having an impact on France domestically.[41]

While changes are occurring throughout France, the most significant cases to examine are those of the political and social realms. A study of the political realm will concentrate on the division of decision-making authority and power between the nation-state and the EU, as well as the degree to which the EU is incorporated into the domestic political system. On the other hand, an examination of the social will be based in the more abstract notion of identity, analyzing how citizens of member states relate to and perceive the EU as a social entity. Taken together, the specific studies of important issues within the political and social realms can provide important insights into the different stages of Europeanization and how it progresses.

Within the political realm, the issues of particular interest are competencies and cohabitation. The system of competencies suggests that at the present time, the decision-makers on the European level understand that a full transfer of sovereignty to the EU is not feasible. There are some areas where the EU exerts control, and there are others where nations, regions, or local authorities are given control.[42] Cohabitation is a similar policy on the national level, regulating which of the decision-makers control the European policy.[43] Breaking down barriers between the EU and the member states politically (and economically) has had an effect on the way in which the citizens of a given state view themselves, as well as how they view the EU. Europeanization, while

[41] Cowles, Caporaso, and Risse, 3-4.
[42] Europa, "The Plain Language Guide to Eurojargon."
[43] Cole and Drake, 35-36.

impacting each of these realms to a different extent, is, overall, effectively decentralizing the French state.

As a result of Europeanization, the domestic structure of France is changing. Now, French policy with regards to the EU is not determined solely by the President, but with input from the Prime Minister and other ministers, civil servants and even the executives from French companies. In fact, European policy is officially controlled by the Secretariat of the Inter-ministerial Committee rather than the President.[44] Both membership in the EU and further integration redistribute power between the French state and the EU.[45] Though France has traditionally been one of the strongest member states in the EU, as a result of Europeanization, it is not only forced to renounce sovereignty to the EU, but is also losing the control that it once had over EU institutions.[46] The internal structure of the French political system is changing as well, with the traditional elite driven system of politics becoming increasingly obsolete and more reliance on new political strategies.[47] The slight decentralization that has occurred with relation to political sovereignty is more profound when examining the changes that are occurring economically.

As a result of the EMU policies contained in the Maastricht Treaty, the French economy has evolved in the past 10-15 years. The French central bank is independent from state control and has been since 1993.[48] There is an interesting paradox in the

[44] Ibid., 28-30.
[45] Schmidt, 992-999.
[46] Hussein Kassim, "French Autonomy and the European Union," *Modern and Contemporary France* 5, no. 2 (1997), 167-168.
[47] Cole and Drake, 29-32.
[48] Ibid., 29-30.

French economy, contrasting economic liberalization and privatization with a highly regulated labor market and a welfare state. The government is caught between letting the economy be free and continuing to protect its people.[49] The French government lost the use of many of the measures that it used to control its economy, so the economy, especially the unemployment rate, is floundering.[50] It has been proposed that the Europeanization of the French economy could help the French state to regain some of its lost footing in the EU and would solve some of the economic problems that are occurring.[51]

Whereas Europeanization can be seen as a positive force economically, socially it is seen as a threat to sovereignty and identity. In the eyes of the French, the expansion of the European Union poses much the same threat as the influx of North African immigrants, threatening to dilute and transform what it means to be French, while also reducing the control that the French government has over its people. French sovereignty in the social sphere has been evolving since the early 1990s when the Maastricht Treaty first introduced the idea of European citizenship.[52] However, despite changes that have occurred, the French state still retains sovereignty over the identity of its people.[53] Social changes, especially those pertaining to identity, do not occur quickly, but rather are a result of time and "critical junctures" (Marcussen et. al 1999).[54] This is not to say that changes in identity have not occurred, they have. French citizens see themselves

[49] Kramer, 126-130.
[50] Kassim, 171-175.
[51] Kramer, 133.
[52] Cole and Drake, 29.
[53] Kassim, 176-179.
[54] Marcussen et. al, 614.

increasingly as French and Europeans, suggesting that changes are in store for the singular notion of French identity that has been so pervasive in French politics. In a 2009 Eurobarometer poll, 60% of French responded that they see themselves as both French and European while in 1992, 47% of French said they never thought of themselves as European.[55] Yet these changes are increasingly observed among the younger generation and are by no means indicative of the views of the entire population or the government.

As this brief overview of France illustrates, Europeanization is having an effect domestically. However, there are opposing viewpoints in the field of international relations as to what is the driving force behind the process of Europeanization, corresponding to the bottom-up and top-down approaches discussed earlier. The classic debate surrounding Europeanization pitted intergovernmentalism and neofunctionalism against one another. However, in recent scholarship, a third theory, institutionalism, has come to the fore.

Intergovernmentalism "contends that member states, or more precisely, the executives of the member states, are the key actors in the EU."[56] This suggests that integration and Europeanization are used by member states as mechanisms to strengthen their control and power in the international system. This approach to Europeanization is centered on the work of Andrew Moravcsik, who highlights the importance of national interest in driving decision makers and believes that institutions do not have the power to

[55] Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 37, June 1992; Commission of the European Communities, *Eurobarometer Flash*: *Quelle Europe? Les Français et la construction européenne*, May 2009.
[56] Kassim, 178.

change the actors, rather they are simply mechanisms of reinforcement.[57] Marcussen expands on this idea, explaining that according to "intergovernmentalism…European integration should not affect nation state identities, since the European polity consists of intergovernmental bodies which do not require much loyalty transfer to the European level."[58] Thus intergovernmentalism fails to explain such phenomenon as the emergence of a European identity.

On the other hand, neofunctionalism suggests that European integration (not Europeanization) "would gradually lead to the transfer of loyalties to the European level, particularly among those elite members involved in the European policy-making process."[59] This theory still focuses on the role of individual actors at the state level and does not acknowledge that institutions can play a significant role in the domestic affairs of states. Neofunctionalism seems to suggest that there are certain thresholds of the transfer of loyalties (i.e. after a certain period of time a certain change will be expected). [60] However, this is not the case; as already discussed, the impact of Europeanization is not uniform across states, even those who joined the EU at the same time.

The failure of both neofunctionalism and intergovernmentalism to account for the role of institutions in explaining the impact of Europeanization on nation-states led to the emergence of a third explanatory theory: institutionalism. Institutionalism represents the top-down approach to Europeanization that has been observed in the recent past. *Transforming Europe*, edited by Maria Green Cowles, James Caporaso, and Thomas

[57] Cowles, Caporaso, and Risse, 13-14.
[58] Marcussen et. al, 627.
[59] Ibid.
[60] Ibid.

Risse is one of the seminal works that takes this approach to the study of Europeanization. This work introduces the idea of Europeanization as a feedback loop, wherein it impacts the way in which domestic actors make their decisions which then reinforces Europeanization. This is in contrast to the view posited by neofunctionalists and intergovernmentalists who suggest that Europeanization is a one-way process (state → EU).[61] By giving power to the institutions, institutionalism can begin to explain how policies are adopted despite not serving the interests of domestic decision-makers.

Because in the scheme of European Union scholarship institutionalism is a relatively new theory and moreover, one that reflects the current top-down understanding of Europeanization, utilizing it for this research study will provide a new perspective on the question of the future of the nation-state and sovereignty. An analysis of Europeanization based on institutionalism looks at the role that the institutions and structures on the European level play in enacting change, rather than looking at the impact of the domestic regime in enacting these changes.

[61] Cowles, Caporaso, and Risse, 6.

Chapter 3: Research Design

This research project aims at understanding the way in which the process of Europeanization impacts the domestic regimes of member states. More specifically, what impact is Europeanization having on the sovereignty of these states? Because sovereignty is multifaceted, the answer to this question is not simple and consequently, requires the exploration of a further question. Is the effect of Europeanization the same when examining different areas of sovereignty: political, economic, and/or social? The analysis necessary to understand the process of Europeanization will be based on a specific case study: France, examined through the lens of institutionalism. The analysis will then be used to draw conclusions about the way in which the EU structures and institutions are defining actions domestically.

Institutionalism is the theory that has most recently been applied to the study of Europeanization. Neofunctionalism and intergovernmentalism, the two theories that had previously been used to understand the process of Europeanization both emphasized the member states and political leaders as the main actors in the European Union. However, these theories both fail to account for the expanding influence of the European Union as an actor and its ability to influence the decisions of individual member states. The shift to institutionalism reflects a new top-down approach to Europeanization whereas both neofunctionalism and intergovernmentalism only understand Europeanization as a process that occurs from the bottom-up.[1] In the recent past, especially since the

[1] Maria Green Cowles, James Caporaso, and Thomas Risse, "Europeanization and Domestic Change: Introduction," in *Transforming Europe: Europeanization and Domestic Change* (Ithaca: Cornell University Press), 12-15.

Maastricht Treaty in 1992, the European Union has been increasingly capable of determining the actions of its member states, reflecting the need to study Europeanization in a new light. Institutionalism is the perfect theory to use in providing a new understanding of the process of Europeanization.

Institutionalism is actually a broad category that contains seven different approaches to the study of the international system: "normative, rational choice, historical, empirical, international, sociological and network institutionalism."[2] While each strain understands the international system and the role of institutions somewhat differently, there are common characteristics of all types of institutionalism. Vivien Lowndes highlights six of these commonalities: "a focus on rules…informal conception of institutions…dynamic conception of institutions…value-critical stance…disaggregated conception of institutions…[and] embeddedness."[3] These characteristics can be understood according to the following explanation. Institutions, defined by institutionalists, are not organizations, but rather the rules that those organizations encompass and the way that they influence the actions of actors. These rules can be either formal or informal and are both dynamic and stable. Regardless of these conditions (formal/informal, dynamic/stable), "institutions embody – and shape – societal values, which may themselves be contested and in flux."[4] Particularly interesting for this study of Europeanization, institutionalists understand that there are many different components of institutions that act in different ways and have different impacts on actors.

[2] Vivien Lowndes, "Institutionalism," in *Theory and Methods in Political Science*, ed. David Marsh and Gerry Stoker (New York: Palgrave Macmillan, 2002), 96.
[3] Ibid., 97.
[4] Ibid., 100.

Lastly, by embeddedness, institutionalists suggest that the role of institutions is "not independent…existing out of space and time" but rather is dependent on external conditions.[5]

While all the different strains of institutionalism could likely be applicable to a certain extent, for the purposes of this study, the two most relevant approaches are normative institutionalism and historical institutionalism. In addition to the shared conditions mentioned previously, normative institutionalism approaches institutions with the goal of understanding the ways in which the "norms and values embodied in political institutions shape the behavior of individuals."[6] Historical institutionalism takes a slightly different approach, suggesting that institutions can create a feedback mechanism that will influence the way in which future decisions are made. Combining these two versions of institutionalism suggests that the rules and norms created by institutions can have a self-reinforcing effect, thus strengthening the institutions. There will also likely be an element of empirical institutionalism, considered to be the classic approach to institutionalism, which measures the impact of institutions on governments.[7]

As can be seen by this brief explanation of institutionalism, utilizing these different approaches as the framework for this research project will provide insight into the way in which Europeanization impacts the domestic regimes and national sovereignty of member states. Institutionalism necessitates understanding Europeanization in terms of the rules and norms that are established to influence the behavior of states. It suggests

[5] Ibid., 101.
[6] Ibid., 96.
[7] Ibid.

that these rules and norms do not need to be explicitly contained in the EU treaties, such as the Treaty on European Union and the Treaty of Lisbon, but that the treaties can be a way to formalize the different constraints on the actions of states. The process of Europeanization can be understood as a continuous loop, a positive feedback mechanism. As Europeanization influences the decisions of member states, the decisions that are made reinforce the strength of the institutions and structures of the EU, which then starts the cycle all over again. It can be expected that in areas where Europeanization has been successful, the EU will be able to gain further control. Institutionalism will account for the role that the EU and the process of Europeanization play in changing the domestic structure of member states as well as changing conceptions of national sovereignty.

In this research project, institutionalism will not be used to study the impact of Europeanization on all or several of the member states, but rather, will be applied specifically to a study of France and the way in which it has been impacted by Europeanization. A specific case study will be useful for gaining a more in depth understanding of the process of Europeanization, rather than looking at it generally in multiple member states. By looking at France, it will be possible to observe some of the concrete effects of the process of Europeanization, rather than just general trends. Within this single case study, a smaller comparative case study will be undertaken, examining political and social sovereignty at two points in time. Studying each of these areas of sovereignty over a period of time will be useful for understanding whether or not Europeanization impacts that area and to what extent. These separate analyses will allow for the development of a more thorough understanding of the impact of Europeanization

on national sovereignty overall. Public opinion and elite discourse will be gathered for each area of sovereignty at the two points in time, the Treaty of European Union (Maastricht Treaty) in 1992 and the Treaty of Lisbon in 2009. Examining the treaties alongside these two data sources will enable an analysis of the broader changes taking place on the EU level as well as the degree to which those changes are internalized by member states (absorbed, accommodated, or transformed).

France is an ideal case to study in an effort to understand the impact of Europeanization because of what scholars have termed "French exceptionalism". The political, economic, and social structure of France, most notably characterized by strong state involvement, is unique in the European Union. It can be argued that this exceptionalism negates the utility of France as a case study because findings cannot easily be applied to other countries in the EU. While this may be true, it is precisely the unique structure of France and its Euroskepticism that make it a relevant case study. If Europeanization can impact one of the countries that is most opposed to the strengthening of the European Union as a central governing body, it is likely that Europeanization can also have an impact on other countries that have a more favorable view of the EU.

Furthermore, the EU can only be as successful as its most reluctant member-state. Nearly every time a new treaty or change is proposed by the European Union, it is met with heated debates in France. Pro-Europeans and Euroskeptics on both sides of the political spectrum join together to support their positions. Pro-Europeans emphasize the opportunity afforded to France by its membership in an increasingly integrated EU while Euroskeptics hold tightly to notions of French exceptionalism and traditional French

identity. Despite increasing Europeanization, the Euroskeptics continue to hold their ground. Recently, two issues have produced particularly intense debates in France: the proposed EU Constitution and discussions over the accession to Turkey. While throughout the 1990s, the pro-Europeans were very successful in enabling soliciting a transfer of sovereignty to support further integration, in these two debates, the Euroskeptics held their ground and were able to table the EU Constitution and the Turkey question, at least temporarily. The continued prevalence and importance of this division suggests that support for Europeanization in France is anything but guaranteed. However, it is possible. Understanding whether or not, and for what reasons, France will be willing to support Europeanization and a transfer of sovereignty indicates how successful the EU will be at obtaining effective power in the political, economic and/or social realms.

Drawing a conclusion about the effectiveness of Europeanization in impacting different spheres of sovereignty will be possible as a result of the comparative case study within the larger study of France as a country in the European Union. The preliminary argument driving this study is that in the French case, Europeanization is impacting political policy to a degree and not having much of an impact on social policy. The goal of the comparative case study will be to test whether or not this hypothesis holds true and if not, to formulate a new hypothesis that will be effective for generalizing the impact of Europeanization of political and social policy in France. To do this, the political and social policies will be examined in the Treaty on European Union and the Treaty of Lisbon in conjunction with corresponding public opinion polls and elite discourse on the

topics that are addressed. Because the Treaty of Lisbon amends the Treaty of European Union, studying the two in comparison is effective as an example of the way in which Europeanization is progressing on the European level. The changes in specific policy areas indicate where Europeanization has been successful in gaining control from the member states, and the areas wherein policy has remained relatively the same suggest that Europeanization may not be effective.

However, for this case study, it is not sufficient to merely study the process of Europeanization on the EU level. Primary and secondary sources will be used to supplement this study by providing French reactions to policy changes. Public opinion surveys, such as Eurobarometer data, will be useful for understanding how the French public perceives the EU, Europeanization, and their own country, as well as the policy changes. Because the elites and decision-makers are the driving forces behind French policies, it will be necessary to study their discourse in conjunction with public opinion. For both public opinion and elite discourse, using the Treaty on European Union and the Treaty of Lisbon as reference points, it will be possible to observe whether or not changes have occurred over time and thus draw conclusions about the impact of the European institutions on individuals and the government alike. Approaching the study of France in this way is relevant because it will examine decision-making on the EU level, as well as the impact on the domestic level. By taking into account the viewpoints of both the elites and the general population, a broader perspective on the impact of Europeanization can be gathered.

Undertaking this case study at two different points in time strengthens the

arguments that are made and the conclusions that are drawn because the changes can be observed firsthand from official documents and primary and secondary sources, rather than relying solely on the opinions of other scholars. However, the works of other scholars can be used to corroborate the findings from the analysis of these cases, suggesting that the findings are not an anomaly. Drawing information from multiple sources strengthens the arguments that it supports by indicating that there is an observed trend. While relying on public opinion surveys could be problematic because of the composition of the pool surveyed, this challenge can be addressed by using surveys spanning a period of time that would presumably consist of different pools of respondents.

Wherein the discourse and opinions of political elites are concerned, while having data that is more subjective may be a problem in other studies, so far as this research project is concerned, opinion is a useful source. However, it would still be ideal to find elites who share the same opinion to illustrate that there is a degree of consensus. The information gathered from both public opinion surveys and elite discourse will be used in conjunction with observations made by examining official documents and policy. By diversifying sources and basing preliminary arguments on primary data and official documents, there is a decreased change of distortion. This reliance on sources that are factual, rather than analytical, lessens the chances of other scholars' opinions diluting the findings. However, by using their findings as supporting material, it is possible to show that the project and conclusions draw from the case studies are not unique in the scholarly world.

Basing the analysis of the official documents, public opinion surveys and elite discourse in an institutional framework not only increases the validity of this research project, but also increases the likelihood that another scholar could reproduce it. This study does not suggest that institutionalism is the only theory that can be used to study the impact of Europeanization on domestic regimes. Rather, it provides a possible approach for understanding Europeanization as a top-down process. Applying the principles of institutionalism to the study of Europeanization necessitates the drawing of certain conclusions. As Chapter 2 suggested, there has been consensus among scholars that Europeanization has a tangible impact on EU member states, most notably France. By briefly examining traditional understandings on French sovereignty in conjunction with policies enacted on the European level, changes in the way in which the French understand their sovereignty can be identified, such as: the creation of the Secretariat of the Inter-ministerial Committee to control European policy, increased European control over economic policy, and the gradual willingness of the French to identify themselves as both French and European citizens. These observations are not subjective; rather, they are the result of concrete studies of discourse, opinion, and official documents, supporting the soundness of this study.

Admittedly, however, this project is not perfect, due in large part to the constraints of length and time. One of the main shortcomings is the failure to include a study of factors other than Europeanization that might influence changes that occur in France. Due to the constraints placed on this study, it would be impossible to account for all the other factors that influence domestic politics. However, for that reason, this study

does not presume to understand why all the changes in France have occurred, but rather, how Europeanization has brought about changes in France. That is, it concentrates on examining only the changes that can be considered effects of Europeanization.

Because Europeanization is an extensive process that has a broad impact, this research project also cannot address all areas of sovereignty impacted by Europeanization. In the interest of time and novelty, this study will concentrate solely on political and social sovereignty. Though economic sovereignty is important, the integration that emerged from the impact of Europeanization on the economic realm began many years before the time period addressed in this study. Throughout the past twenty years, Europeanization has begun in the social realm and taken many great strides in the political realm. Consequently, by focusing on the social and political realms, it is possible to see two different stages of integration and understand how the process of Europeanization begins to lead to changes. The impact of Europeanization in the economic realm is not to be ignored, however. Chapter 2 contains a brief overview of the historic understanding of French economic sovereignty as well as the changes that have taken place since economic integration began. This overview can be used to compare and contrast the developments in the social and political realms, enhancing the conclusions that can be drawn about the domestic impact of Europeanization.

The approach to the study of Europeanization taken in this project emphasizes the impact of the European Union and its institutions on member states, as a top-down process, rather than a bottom-up process. This is due in part to the goals of the study: understanding the impact of Europeanization and European institutions on member states

and also in part to the fact that many of the studies that have been undertaken utilize bottom-up approaches. Because there are not many studies that currently utilize a top-down approach, a study such as this one may provide new information that has not already been extensively analyzed. Because the EU member states are each unique entities with specific political, economic, and social conditions, the findings that result from this study will not be directly applicable to all the other member states. However, because of this shortcoming, the goal of this study will not be to explain the way in which other member states will react to the process of Europeanization. Rather, the conclusions that are drawn can be used to provide conditions for understanding why member states might be motivated to relinquish one type of sovereignty rather than another.

Though as a result of EU expansion France has been losing some of its power, it is still an important member state to study and the extent to which it is impacted by Europeanization has significant implications for the future of the EU. Because France is one of the states that is more reluctant to renounce its sovereignty, understanding the areas in which French political leaders are willing to transfer sovereignty to the EU can provide an indication of the areas in which the EU will be most successful at garnering sovereignty from its member states. Furthermore, if Europeanization and the EU can bring about changes in France, which has long been an exceptional case, then it is likely that changes can be effected in member states that are less jealous of their sovereignty. Because national sovereignty and the nation-state have long been the organizing principles for the international system, understanding, however fundamentally, the process of their erosion will be very relevant in understanding the shape that the

international system will take in the future and the possibility for the success of the European Union as an international actor.

Chapter 4: The Political Reach of Europeanization

Introduction

When the six original members of what is now the European Union, France, Germany, Italy, Belgium, the Netherlands and Luxembourg, came together in 1951 to form the European Coal and Steel Community, they were concerned only with economic integration and overseeing Germany's redevelopment in the post-World War II era. Over time, the economic union between the member states grew stronger, with the number of member states increasing as well to nine, twelve, and eventually, after several more enlargements, reaching the current 27 member states. For the first nearly forty years of the European Union's existence, throughout its various forms, the main bond between the ever-increasing number of member states was economic. However, in the late 1980s as a push for greater economic integration occurred, simultaneously, the need for political integration became apparent as well.

In France in particular, EU politics had never been considered an issue of great importance. The French civil servants (*grands corps*) and domestic ministries were much more concerned with domestic policies than EU ones.[1] The French decision makers tended to see the EU only as a channel through which they could enact their own foreign policies goals. If the goals of the EU did not align with France's goals, France had little interest in the political power of the EU. Over the past twenty years, from the early 1990s through 2010, there has been a perceptible shift in France's approach to the

[1] Michel R. Gueldry, *France and European Integration: Toward a Transnational Polity?* (New York: Praeger, 2001), 42.

European Union within its domestic politics. While this change is due in large part to the changing goals of the European Union and its member states, its underlying causes are more complex than that. Understanding how, why, and to what degree this shift has taken place is the subject of this chapter. Examining political changes on both the European and domestic level, over time, will enable conclusions to be drawn about the political aspect of Europeanization. Equally important, however, is analyzing what changes have not occurred. Despite an increased willingness on the part of French political leaders and the public to place trust in EU institutions, there is still skepticism surrounding the transfer of sovereignty necessary for the EU to function as an effective political actor. France is caught in a tug-of-war between upholding national sovereignty and assuring the success of the EU.

This chapter, after giving a brief background of the French political structure, will proceed to examine the interaction between Europeanization and the European Union, on one hand, and the domestic political impact in France on the other. The chapter will be laid out in three main body sections.

- Section 2 will examine the Maastricht Treaty and the changes outlined within it, as a critical moment in the initiation of political integration.
- Section 3 will look at the Post-Maastricht period and the way in which France internalized the Maastricht Treaty to understand the ways in which EU legislation can have a domestic impact.
- Section 4 will fast forward in time to the current era of the failed EU Constitution and the successful Lisbon Treaty to examine how Europeanization is progressing

and what political factors contribute to its success or failure.

Each section will contain a mixture of primary and secondary sources and empirical evidence, as well as an analysis of the insights provided by that information. Overall conclusions about the relationship between the process of Europeanization and French political sovereignty will conclude the chapter.

French Political Structure

Since the end of the French Revolution in 1789, French political sovereignty has been defined largely in terms of an intense degree of centralization. This political tradition, known as *étatisme*, which literally translated mean "state-ism", is characterized by a concentration of power in the hands of the executive, the President of the French Republic. [2] More than the power of the executive, however, *étatisme* emphasizes the centrality of the state in all aspects of lives of the French citizens. The institutions of the state including the executive, legislative (*Assemblée Nationale* and *Senat*), and judiciary branches as well as the Constitutional Council (*Conseil Constitutionnel*) and the Council of State (*Conseil d'Etat*) play a critical role in protecting the sovereignty of the state and the rights of the citizen.[3] These and other institutions of the state not only encourage, but also demand, allegiance to the state and all the notions for which it stands.

Necessarily, this system of government, wherein the vast majority of power is placed in the hands of the executive, comes into conflict with the transfer of sovereignty necessary to participate in politics on the European level through the institutions of the

[2] Ibid., 15-19.
[3] U.S. Department of State, "Background Note: France, " http://www.state.gov/r/pa/ei/bgn/3842.htm#gov.

European Union. An executive who is unwilling to give legitimate power to branches of domestic government is likely to be even more reluctant to sacrifice some of his power to a distant transnational governing body. The principles of *étatisme* are inherently contradictory to political integration on the European level. However, despite the apparent conflicts between *étatisme* and governance on the European level, France has been an active political participant in the European Union. Like the citizens of other countries in the European Union, the general population and the elites alike have recognized that the European Union offers opportunities that France might otherwise not be afforded.[4] French elites have been most accepting of political integration as a means of enacting French foreign policy on the European level and strengthening France's position in the international system. However, despite perceived benefits to European Union membership overall, there still remains a degree of skepticism about the relatively recent notion of political integration within the European Union, especially when France's interests do not align with those pursued by European institutions.

This attitude toward Europeanization is reflected in the approach that the presidents of France during the Fifth Republic have taken towards Europe and European affairs. The successive French leaders, though encouraging European integration to varying degrees, have all sought to find a way to align Europeanization with the

[4] Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 1991-2009; Daniel Carton, "*Un entretien avec M. Giscard d'Estaing*," *Le Monde*, 27 April 1992; Francois Mitterrand, "Television Interview with Francois Mitterrand," Antenne 2, Europe 1, France Inter and RTL (April 12, 1992), http://www.ena.lu/televsion_interview_francois_mitterrand_12_april_1992-2-30856; Jacques Delors, "Address at Bruges 17 October 1989," http://www.ena.lu/address_given_jacques_delors_bruges_17_october_1989-2-10171; Jacques Delors, "Address at Maastricht 7 February 1992," http://www.ena.lu/address_given_jacques_delors_maastricht_february_1992-2-14625.

perpetuation of French political sovereignty. Charles de Gaulle, the first president of the Fifth Republic, was not the most enthusiastic supporter of Europe. He saw Europe as a way for France to maintain the international power that it was losing as its colonies became independent. However, he was also wary of giving too much power to the Community, envisioning a body that was "confederal in shape and continental in scale."[5] His vision of Europe is most remembered through the "Empty Chair Crisis" in the Council of Ministers in the 1960s. At a time when majority voting was supposed to be extended within the Council, de Gaulle wanted a 'national interest veto' that would allow the national governments to continue to retain power (*vis a vis* the European institutions). De Gaulle prevented French ministers from attending any meetings until the Luxembourg Compromise allowed for voting based on national interest.[6] This episode illustrates France's power as a member state during this time frame and her leaders' ability to drive policy formation so that it reflected French interests and goals.

When de Gaulle resigned in 1969, Georges Pompidou became president of France. His short presidency was characterized by a different approach to Europe than de Gaulle had advocated. Pompidou "took a cautious and unhurried approach to push for a 'twin track' approach of intergovernmental cooperation in new policy areas and a revival of the dynamics of the community."[7] Unlike de Gaulle, who was wary of the enlargement of the EU, Pompidou campaigned for the inclusion of Great Britain, among

[5] Alain Guyomarch, Howard Machin and Ella Ritchie, *France in the European Union* (New York: St. Martin's Press, 1998), 24.
[6] Ibid., 24-26.
[7] Ibid., 26.

other states, as member states of the EU.[8] This shift between presidencies reflects that while French policy is driven by *étatisme*, it is also influenced by the elites who are in power at the time. However, it is important to note that even though Pompidou was more pro-European than de Gaulle, he was not nearly as pro-European as his successor.

Valéry Giscard d'Estaing took office when Pompidou died and built upon his predecessor's support of Europe. Giscard, whose name soon became synonymous with pro-European sentiment (Giscardists in contrast to the anti-European Gaullists), was a supporter of Europe, both through European integration and enlargement. He emphasized four different policy areas during his presidency: enlargement, improving the effectiveness of decision-making, monetary union, and direct election of the European Parliament.[9] This pro-European attitude indicated a shift that would be continued throughout the next presidency, that of François Mitterrand.

François Mitterrand took office with the hope of creating a stronger Europe that would be independent of United States involvement. Despite supporting Europe, he still wanted France to retain control and keep the EU institutions from becoming too strong. He advocated a "'concentric circles' vision of Europe, with confederal cooperation on the continental scale around a federation of the EC core of advanced liberal democracies [i.e. France]."[10] However, Mitterrand did not advocate for the "widening" of Europe through enlargement as Giscard had. Rather, he wanted to strengthen the existing European coalition, through economic and monetary policy, before expanding it.[11] Mitterrand's

[8] Ibid., 26-27.
[9] Ibid., 27.
[10] Ibid., 28.
[11] Ibid., 28-29.

political leadership guided France through the ratification of the Maastricht Treaty and through the beginning of political integration.

Despite the different policies pursued by the various presidents of the Fifth Republic, it is clear that there is a common thread that weaves them together: the use of Europe to serve the interests of France. Support for Europe is somewhat superficial, with the political elites' "ambivalent attitudes merely reinforc[ing] nationalist and sectoral criticisms of the whole EU structure...ensuring that it [the EU edifice] does not develop a legitimacy comparable to that of the French political system."[12] The effect of this construction is most noticeable in the perception of the EU within the French administration.

The EU is perceived as distant by French citizens and administrative officials alike, and prior to the Maastricht Treaty, the "'insular' bulk of the administrative [was] lacking the expertise, time, or opportunity to develop a more sophisticated understanding of the EU's impact on national laws."[13] The EU was only seen to be relevant when it was serving France's already established interests and there was no need to provide officials with the skills or education necessary to see through the opaqueness of the EU. Within France, the EU was not a priority, and in 1992, France's delegation to COREPER was only 35, with representation before the ECJ limited to only five legal experts.[14] While astonishing a first glance, this attitude toward the EU is a reflection of *étatisme* and the supremacy of the state above all else. The question then becomes, is the EU always

[12] Ibid., 31.
[13] Gueldry, 42
[14] Ibid., 43.

destined to be politically subordinate to the nation state? The answer to this question will be explored throughout the following sections of this chapter by analyzing the reaction to the Maastricht Treaty and the Treaty of Lisbon, both within the French political structure and by elites and the general population. Examining these changes will enable conclusions to be drawn about the power of the political elements of Europeanization.

In The Time Of Maastricht

The Basics of Maastricht

The Maastricht Treaty, formally known as the Treaty on European Union, was born out of years of discussion about the future of the European Union and the direction that its formation should take. The Maastricht Treaty is considered to be a crucial moment in the formation process of the European Union, as it came at a time when faith in the European Union was waning. It complemented the enactment of the Single European Act in 1986 and as the political extension of the EU; it strengthened EU institutions, a necessary correlation to Economic and Monetary Union (EMU). Signed on February 7, 1992 by the 12 European member states at the time, its ratification was the result of heated debates throughout Europe about the implications of the political extension of the economic union that had existed for over thirty years.[15] The Maastricht Treaty pitted pro-European integrationalists throughout the continent against nationalists

[15] Europa, "Summaries of EU Legislation: Treaty of Maastricht on European Union," http://europa.eu/legislation_summaries/economic_and_monetary_affairs/institutional_and_economic_framework/treaties_maastricht_en.htm.

who feared for their countries' sovereignty.[16]

In France, unlike many other countries, the Maastricht Treaty was put to a vote in a public referendum, held in September 1992. The Referendum served not only to increase awareness of the Maastricht Treaty, but simultaneously increased awareness and interest in the European Union as a whole. The Referendum highlighted the divisive nature of European integration in France in particular. Whereas there had been a significant degree of support for both the single currency and a common foreign policy, in opinion polls earlier in 1992, the referendum was only barely passed, by 51% of the population. This change was not necessarily due to changing views about the European Union or Europeanization, but was a statement by the French population about disagreement over more general political issues.[17] According to Ronald Tiersky, "the French voters changed the issue on Mitterrand in 1992, turning the Maastricht referendum into an ersatz national election or plebiscite," with the election results closely resembling those of any national election.[18]

However, the Maastricht Referendum was not just about the general population, as the debate over its ratification was driven by political elites. European integration and Europeanization did not neatly divide the political landscape. When the French Parliament voted on Maastricht, the center-left (the Socialists) and center-right (the Union for French Democracy, Social Democratic Center, and Rally for the Republic) supported the Treaty, collectively known as integrationalists, while the opponents, the

[16] Ronald Tiersky, *France in the New Europe: Changing Yet Steadfast* (Belmont, CA: Wadworths Co, 1994), 170-171.
[17] Ibid., 5, 129-130.
[18] Ibid., 130.

nationalists, included some of Rally for the Republic, most notably Charles Pasqua and Philippe Séguin, two of the most vocal opponents of the Maastricht Treaty; the National Front of Jean-Marie LePen; Jean-Pierre Chevènement's Republican faction; the French Communists; and the Greens.[19]

It is interesting to note that Maastricht crossed traditional political divisions and brought together those on the left and the right both in favor of, and in opposition to the Treaty. The integrationalists, as their name suggests, "supported the strengthening of the political powers of the EU and its institutions" while the nationalists "wanted to ensure that the power of the EU would be curtailed and that it would continue to be a '*Europe des patries'*."[20] By putting the Maastricht Treaty to a referendum, Mitterrand brought to the fore the controversy surrounding political and economic integration, as well as the future of the European Union. The Maastricht Referendum was essentially a question of protecting French nationality, culture and sovereignty above all else (signified by a 'no' vote) or the acceptance of European integration and Europeanization as a complement to national power. Ultimately, the European argument won out, not only in France but also throughout Europe, with the Maastricht Treaty coming into force on November 1, 1993.[21]

With its ratification, Maastricht became the first of the major European treaties to seriously address the relevance of the political sphere both on the European level and between member states.[22] The Treaty of Maastricht is comprehensive, tackling economic, political, and social aspects of membership in the European Union. In addition to

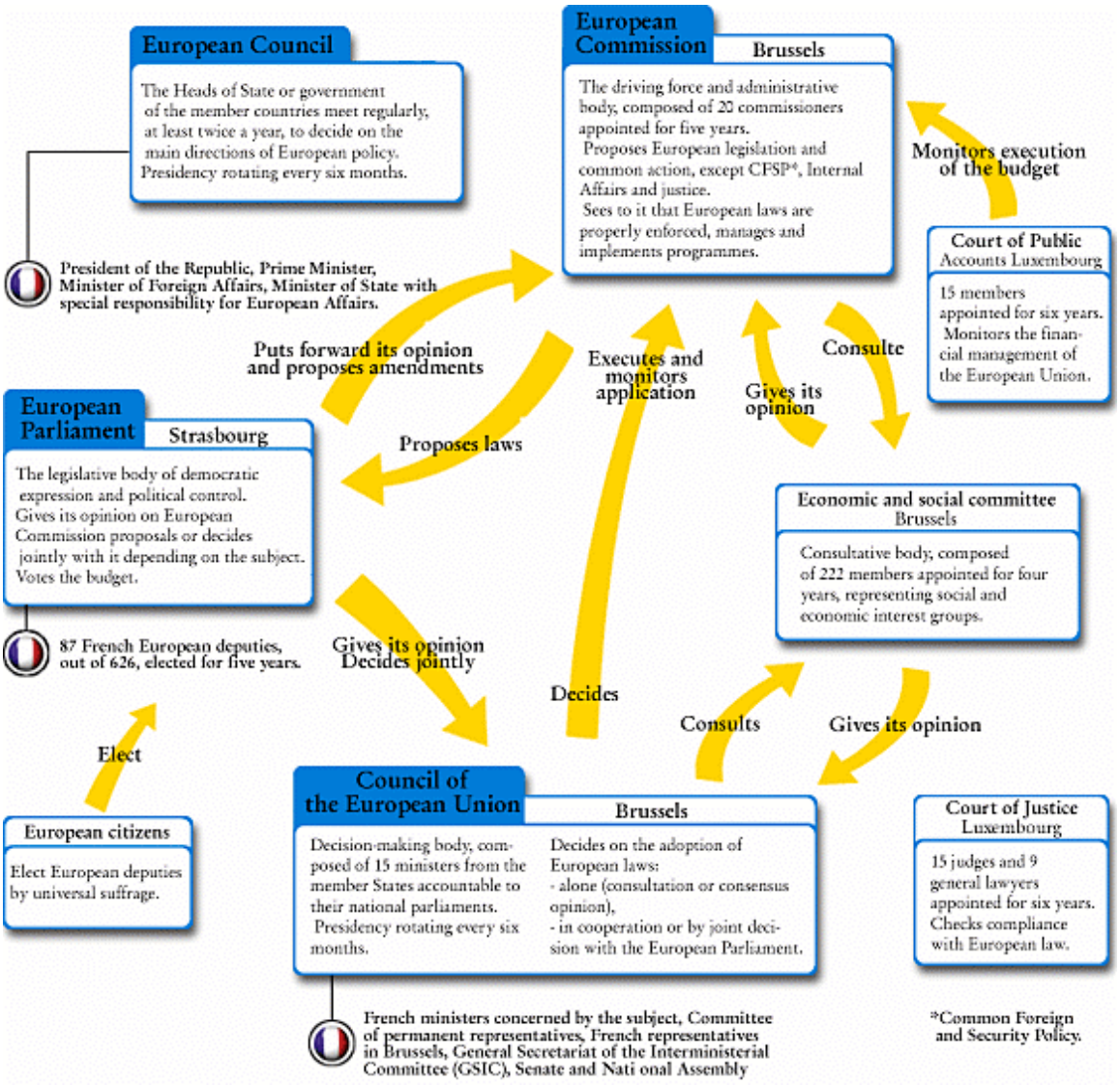
[19] Ibid., 170-171; Guyomarch, 80.
[20] Guyomarch, 80.
[21] Europa, "Summaries of EU Legislation: Treaty of Maastricht on European."
[22] Ibid.

bringing about new elements and protocols, it also amended the existing European treaties, in an effort to provide a total revitalization of the European Union. According to the European Union, five main goals were established for Maastricht, three of which pertain to the political realm: "strengthen the democratic legitimacy of the institutions…improve the effectiveness of the institutions…establish a common foreign and security policy."[23] These goals explicitly outlined for the Maastricht Treaty suggest that political elites throughout the EU recognized the importance of expanding the EU beyond merely an economic union. Working towards these goals would result in the reassertion of the EU's strength in the international system as well as an increase in its effectiveness of a decision-making body for the member states.

In order to understand the importance of the effectiveness of the EU's institutions, it is necessary to know what those bodies are and how they interact with one another. Figure 4.1, from a document explaining the structure of the EU to the French people during France's presidency of the European Council, depicts the different bodies as well as their functions. This brief overview will lay out the foundations necessary for understanding the role of various European political institutions. Especially relevant are the European Commission, European Council, European Parliament and Council of the European Union. Together, these institutions comprise the main decision-making, legislative, and administrative forces in the European Union.

[23] Ibid.

Figure 4.1 – European Institutions[24]



In addition to increasing the effectiveness of the European institutions the Maastricht Treaty also provided conditions necessary for the closer integration of member states. This change is most noticeable through the replacement of the European

[24] French Ministry of Foreign and European Affairs, "France in the European Institutions," The French Presidency of the European Union, http://www.diplomatie.gouv.fr/en/france_159/label-france_2554/label-france-issues_2555/label-france-no.-40_4202/feature-the-french-presidency-of-the-european-union_4261/france-in-the-european-institutions_6809.html.

Economic Community with the name European Community, as well as the creation of the European Union, the new name for the community of European states. In these ways, among others, the Maastricht Treaty was the symbol of the reinvigoration of Europe on the world stage as well as the critical process of Europeanization that aimed at bringing the member states closer together in a more effective union. However, Maastricht could only lay the foundations for the closer political union of the member states; putting the foundations to use would be the work of the member states and would only be as effective as they allowed it to be.

Changes Brought About by Maastricht

The Maastricht Treaty is a lengthy document that enacted a variety of changes, most notably the incorporation of political and social elements of integration to complement the already well-established economic elements. Analyzing the nature of these changes and their implications enables the development of an understanding of why Maastricht necessitated changes in the domestic political structure of France. Due to the sheer number of changes contained within the pages of Maastricht, including many minute details, for this study it will be most effective to concentrate on several major changes at the European level including the proposed Common Foreign and Security Policy (CFSP), the increased responsibility of the European Parliament, the introduction and extension of new voting procedures and the establishment of the notion of EU

citizenship.[25] These changes reach beyond the economic realm, reflecting the extension of the European Union into the political sphere. In addition to other provisions within the Maastricht Treaty, they allow for the strengthening of the institutions as well as an increase in their effectiveness. However, these changes do not occur without consequences for the member states. By allowing a greater role of the European Union, member states are relinquishing a degree of their power and sovereignty. Thus, the Maastricht Treaty does not only provide for the political extension of the European Union, but it is also an acknowledgement on the part of member states that the European Union deserves a greater degree of control and that they are willing to make the changes necessary for this to happen.

The four major changes outlined above each address different aspects of the European Union and consequently, provide unique insights into the process of European political integration and its implications for the member states. Each will be addressed individually on the European level in this section, with the general domestic impact explained, while in the section that follows, specific domestic changes in France will be highlighted and analyzed.

The Common Foreign and Security Policy (CFSP) was established by the Maastricht Treaty as one of the three pillars of the European Union, alongside the European Communities (EC) and Justice and Home Affairs (JHA). Perhaps more than any other change brought about by Maastricht, the CFSP reflects a desire for member state cooperation beyond the economic realm. The CFSP allows for the cooperation of

[25] Europa, "Summaries of EU Legislation: Treaty of Maastricht on European;" The European Union, *Treaty on European Union*, Maastricht, July 1992, OJ C 191.

member states without the required intervention of an institution on the European level; it provides a forum for joint-initiatives in areas of common interest.[26] The objectives of the CFSP, as outlined by Article J.1 of Title V of the Maastricht Treaty are as follows:

> Safeguard the common values, fundamental interest and independence of the Union…strengthen the security of the Union and its Member States in all ways…to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter as well as the principles of the Helsinki Final Act and the objectives of the Paris charter…to promote international cooperation…to develop and consolidate democracy and the rule of law and respect for human rights and fundamental freedoms.[27]

For the first time in EU history, the CFSP provides a formalized structure that will enable EU member states to take joint action beyond the economic sphere, in this case, in the realm of foreign policy. The CFSP will be implemented over time, in areas in which the member states share important common interests. As such, foreign policy decisions that fall within these areas may become more effective because the states can cooperate and undertake them simultaneously. However, when states enter into actions under the CFSP, they will lose a degree of autonomy, because they will no longer be acting on their interests alone, but based on the interests of all the involved member states (12 at the time of its entry into force). Furthermore, the decision-making process becomes more complicated, as any CFSP decisions require approval by unanimity.[28]

Unanimity is one of the two major voting procedures within the European Union, used in addition to qualified majority voting. Unanimity, as the name suggests, requires that the vote taken by member states be unanimous before a decision is reached. Under

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[26] The European Union, *Treaty on European Union*; Europa, "Summaries of EU Legislation: Treaty of Maastricht on European."
[27] Ibid.
[28] Ibid.

this system, each of the countries has a single vote and consequently, a single country can use its veto power to block the decision of all the other member states, making decision-making a complicated process.[29] For states such as France, who are reluctant to relinquish control and cherish a position of power within the EU, unanimity is the preferred measure of voting. If France does not see a decision as being in its interest, it can effectively prevent the decision from being passed by using its power of veto.

The second system of voting, qualified majority voting (QMV), is designed to check the veto power of individual states. Under QMV, each country is allotted a certain number of votes, determined by the size of the country's population. In order for a decision to be passed, a threshold level of votes must be reached.[30] As such, qualified majority voting eliminates the veto power inherent in unanimous voting, decreasing the power of individual member states vis-à-vis other member states. No longer can France use its single vote to block a decision, because France's votes alone are not enough to reach or threaten the threshold necessary to pass a decision.

Under the Maastricht Treaty, QMV is "extended within the Council [Council of the European Union] to cover most decisions under the co-decision procedure and all decisions under the cooperation procedure."[31] The decisions under co-decision and cooperation combined totaled 30 articles that were added to the 50 previously existing articles for which QMV was considered to be the voting standard.[32] The policy areas to

[29] Europa, "Glossary: Unanimity," http://europa.eu/legislation_summaries/glossary/unanimity_en.htm.
[30] Europa, "Glossary: Qualified Majority," http://europa.eu/legislation_summaries/glossary/qualified_majority_en.htm.
[31] Europa, "Summaries of EU Legislation: Treaty of Maastricht on European."
[32] The Bruges Group, "Summary of Qualified Majority Voting in Successive European Treaties," http://www.brugesgroup.com/news.live?article=4056&keyword=14.

which QMV is extended are briefly addressed in Table 4.1.

Table 4.1 –The Extension of QMV in Maastricht[33]

Policy Area	Relevant Articles
Economic Policy	73c(2), 73f, 73g(1), 73g(2), 75, 103(2), 103(4), 103(5), 103a(2), 104a(2), 104b(2), 104c(6), 104c(14)
Monetary Policy	105a(2), 106(5), 106(6), 109(1), 109(2), 109(3), 109(4)
Economic and Monetary Union	109c(3), 109f(6), 109h(2), 109h(3), 109i(3), 109j(2), 109j(3)
Common Visa	100c(2) and (3)
Education	126
Vocational Training	127
Public Health	129
Consumer Protection	129a
Trans-European Networks	129d
Research and Development	130i(4)
Environment	130s
Development	130w
Ombudsman's	138e
Economic and Social Committee	194
International Agreements	228(1), 228(2)
Sanctions	228a

It is interesting to note that the vast majority of areas addressed by qualified majority voting still fall into the economic realm. While the extension of QMV is considered to be an important step in simplifying the voting process with the Council of Ministers, its use is still restricted. Despite its still somewhat limited use, coupled with the redistribution of votes and the restructuring of the voting procedures accompanying the changing number of member states due to European integration, QMV effectively lessens the decision-making power of individual member states and reflects a push for increased cohesion in decision-making. Regardless of whether or not member states fundamentally support the reduction of their veto power within the Council, the extension

[33] UK Parliament, "Maastricht Treaty," http://hansard.millbanksystems.com/written_answers/1992/may/20/maastricht-treaty.

of QMV is an important step toward increasing the effectiveness of EU institutions, as it simplifies the decision-making process and prevents a single member state from blocking a decision in areas wherein QMV is applicable.

Another important change contributing to the increased effectiveness of the institutions under the Maastricht Treaty is the establishment of the co-decision procedure. Specifically, co-decision is one of the critical elements that provided for the strengthening of the European Parliament. As introduced in Maastricht, co-decision allows the European Parliament to work with the Council of the European Union to make decisions and enact legislation in areas wherein previously, the European parliament did not play an important role. Not only does it allow for cooperation between the two institutions, but it also requires the Council to seek European Parliament approval before acting with relation to Articles 8a, 130d, 138, 228(3), 105(6) and 106(5).[34]

This provision gives increased power to the European Parliament as the representative institution of the European citizens. Furthermore, as previously mentioned, decisions that are made under co-decision must also be based on qualified majority voting, limiting the veto power of representatives in both the European Parliament and the Council on the European Union. This relative loss of power for individual member states is one of the most significant indicators of a shift in the approach to the political realm within the EU.[35] Not only is the European Parliament strengthened through the increased powers allotted to it, but also within the European Parliament and the Council of Ministers, member states are accepting diminished

[34] UK Parliament, "Maastricht Treaty."
[35] Europa, "Glossary," http://europa.eu/legislation_summaries/glossary/index_en.htm.

authority, relative to other member states and the EU as a whole.

This power shift reflects a greater trend in the European Union, that of an increased role for the European Union politically, impacting both member states and their citizens. The more important role of the European Union, especially in the lives of the citizens, is indicated by the establishment of the notion of European citizenship within the Maastricht Treaty. Any citizen of any member state of the European Union is automatically recognized as a European citizen, in addition to their member state citizenship. Though four rights of European citizens are outlined, one stands out as particularly relevant to the political realm of Europeanization. The Maastricht Treaty gives European citizens "the right to vote and stand in local government and European Parliament elections in the country of residence."[36] This means that a citizen of one member state can be a candidate in a local election in another member state that he or she resides in. Consequently, European citizenship has interesting implications for national political sovereignty in all states, but especially France, as a non-national could in theory be a representative in the national legislative body, among other domestic political institutions, as well as representative of the nation in European institutions.

Of the changes enacted by the Maastricht Treaty, perhaps this is the most significant. Though seemingly a very simple idea, its implications are immense; specifically, it suggests the blurring of boundaries between nation-states and the European Union. For a country such as France, which is incredibly fearful of the impact that foreigners of any sort can have on notions of identity and culture, the advantages of

[36] The European Union, *Treaty on European Union*.

European citizenship make these fears very real. Frenchmen would be shocked at the possibility of a Brit or a German representing their interests on a national or even European level. While the creation of European citizenship does not have a direct institutional impact, it suggests the extent to which the political changes brought about by Europeanization can change the national and European landscape. The impact stretches from the European institutions, to domestic institutions, to the citizens of member states. However, while far reaching, the political impact of Europeanization is simultaneously limited in scope.

The four changes examined above, the CFSP, QMV, increased powers for the European Parliament and the establishment of European citizenship, when taken together suggest both the potential of political integration and its limitations. Despite the challenges that were posed during the ratification referendum, France's ultimate ratification of the Maastricht Treaty suggests a willingness to accept the changes that were proposed by the Treaty and the limitation on national sovereignty that those changes necessitated. However, the changes that were enacted were relatively limited in their scope, due in part to reserved ambitions because Maastricht was the first foray in the political sphere but also, perhaps, due to a degree of reluctance surrounding the political extension of the European Union. France in particular had a very specific vision of the European Union, and it was that vision which drove their involvement in the Maastricht Treaty. While hoping for a stronger European Union, the French decision-makers also wanted to retain a degree of their sovereignty and control.

Disregarding any reluctance about the scope of the political changes enacted by

Maastricht, the fact is, Maastricht did provide for more political integration than had ever existed in the European Union. While not creating a Union of European States, the Maastricht Treaty put in place the foundations necessary to start the process of closer political integration. However, despite these foundations and the acceptance of the Maastricht Treaty's changes on the European level, it is another thing entirely for France to realize their domestic implications and internalize them. The true test of the effectiveness of the Maastricht Treaty and the possibility of further political integration comes from examining how the Treaty was incorporated into French domestic policy, following its ratification and implementation.

France in the Post-Maastricht Period

After examining the changes that were brought about by Maastricht on the European level and understanding their implications, it is necessary to extend the study of Europeanization to the domestic level. This section will look at how and to what extent the wave of Europeanization, as captured by the Maastricht Treaty, impacted France domestically. As with the changes that occurred on the European level, addressed in the previous section, the domestic impact of Europeanization has simultaneously been extensive and limited. This is due in large part to the perception that France has of Europeanization overall. The French have a certain vision for the future of the European Union, as an entity that does not replace the state but rather, complements it. When the direction of European Union legislation aligns with this vision, the French are avid supporters of European integration. However, when the EU fails to match with their

vision, the French become cautiously nationalistic and eager to express their opposition. While this is traditionally the dichotomy with which France approaches European affairs, when examining France's reaction to the Maastricht Treaty, a slightly more moderate approach can be seen, wherein France shows signs of entertaining policies that once might have been vehemently opposed.

There are three different impacts of the Maastricht Treaty that are useful to examine in attempting to draw conclusions about the political impact of Europeanization. First, and perhaps most objective, is the impact on the French Constitution, as understood through the deliberations of the French Constitutional Council. Second, are the changes that occurred within the institutional structure of France. Lastly, the impact on the general public and their perception of the EU politically and its institutions, provides a third perspective of Europeanization. These changes illustrate both the tension surrounding European integration in France, but also the ever so subtle acceptance of a new perception of Europeanization.

The Constitutional Impact of Maastricht

The proceedings of the French Constitutional Council, both April 7-9, 1992 and September 2, 1992, suggest a willingness to consider Europeanization in a positive light. The French Constitutional Council first met to discuss the Maastricht Treaty and its constitutional implications in April 1992, the proceedings of which are known as Maastricht 1. The goal of this meeting was to review the Maastricht Treaty alongside the

French Constitution to ensure their mutual compatibility.[37] Prior to analyzing the substance of Maastricht, the Council made an important distinction, that:

> It follows from these various institutional provisions that respect for national sovereignty does not preclude France, acting in accordance with the Preamble to the 1946 Constitution, from concluding international agreements for participation in the establishment or development of a permanent international organization enjoying legal personality and decision-making powers on the basis of transfers of power decided on by the Member States, subject to reciprocity.[38]

In this statement, the Council recognizes that a transfer of power between the member states and the European Union does necessarily threaten the notion of national sovereignty held by France. However, the mention of reciprocity suggests that there are certain conditions that must be satisfied in order for such a transfer of power to be considered acceptable. As such, the French Constitutional Council both allows for, and requires, the further examination of specific topics contained within the Maastricht Treaty, including Reciprocal Agreements and the Establishment of Union Citizenship, among others (not political in nature). Interestingly, in the thorough analysis conducted by the Council, only a single article of political importance in Maastricht was found to be unconstitutional. That article, Article 8b (1), pertains to the right of EU citizens to vote and participate in municipal elections in countries other than that of their national citizenship.[39] (NB: Other articles were found to be unconstitutional, but as pertains to political articles addressed in this decision, only Article 8b (1) is relevant) The notion of European citizenship is an incredibly controversial issue because it changes the role of both national and non-nationals in domestic elections. European citizenship runs

[37] French Constitutional Council, "Treaty on European Union: Decision 92-308," Paris, April 1992, 92-308 DC.
[38] Ibid.
[39] Ibid.

extremely contrary to the French understanding of French political identity, and as such, is an issue that must be addressed before Maastricht could be ratified.

The analysis of Maastricht also came to another relevant conclusion:

> The Treaty on European Union does not have the effect of changing the legal status of the European Parliament; the Parliament is not a sovereign assembly with general lawmaking power such as might participate in the exercise of national sovereignty; it belongs to a sui *generis* legal order, which, although integrated into the legal system of various Member States, is not part of the institutional system of the French republic.[40]

This statement illustrates the recognition of an important division between EU decision-making and national decision-making that enables the French to justify a transfer of powers to the European Parliament while still upholding their sovereignty and their vision of the European Union as a corollary, rather than replacement, to the member state. Though the European Parliament in theory gained strength and decision-making power as a result of the Maastricht Treaty, France still recognizes the superiority of its national legislative bodies, such as the Senate and the National Assembly. Important steps may have been taken to increase the effectiveness of the European Parliament, but this effectiveness does not necessarily translate into increased recognition of the legitimacy of the European Parliament by France or its citizens. In this statement, the French Constitutional Council is asserting that it does not recognize the European Parliament as a replacement for national legislative institutions. France is projecting its own image of what the European Union should be on top of the image of what the European Union is.

Though the image of the European Union that France held might not have aligned

[40] Ibid.

exactly with the one projected by the Maastricht Treaty, the appropriate changes were made to the French Constitution so that the Maastricht Treaty could be ratified. These changes not only indicate the recognition of the political relevance of the European Union but further suggest that either the misalignment was not significant or that France was willing to change its image so that it aligned with what was being projected by the European Union at the time.

The second meeting of the Constitutional Council, referred to Maastricht 2, was held after the requested changes were made to the French Constitution, ensuring that Maastricht was no longer in conflict with it. The appropriate changes were made as a result of Constitutional Act 92-554 on June 25, 1992 and included the introduction of a new section of the French Constitution, Title XV – On the European Communities and the European Union.[41] Title XV encompassed several articles including Article 88-1, which is the formal recognition of the European Union and Article 88-3, which addresses the concerns of the Constitutional Council with relation to Maastricht Article 8b (1). Through Article 88-3, France regulates the participation of EU citizens in their national government. France does not accept European citizenship as outlined in the Maastricht Treaty, but rather amends it and restricts the participation of EU citizens in national elections, to protect French national interest, identity and sovereignty. Article 88-4 was also added to address the relationship between the French legislative branch and the EU as a whole.[42] By requiring the National Assembly and the Senate to be given drafts of

[41] French Constitutional Council, "Treaty on European Union: Decision 92-312," Paris, September 1992, 92-312 DC.
[42] The French National Assembly, "Title XV: On the European Communities and the European Union," *Constitution of October 4, 1958*, http://www.assemblee-nationale.fr/english/8ab.asp.

proposed European legislation, a check on European institutions is put in place. The same article also simultaneously establishes committees for European Affairs in both legislative branches. Though the European Union may have been less important in France prior to the Maastricht Treaty, this indicates recognition of the increasing importance of European Affairs and the need to address them domestically. While France may be wary of Europeanization, it does not deny its increasing relevance.

Institutions and Politicians React to Maastricht

The strengthening of institutions addressing the European Union and European affairs in domestic France echoes this recognition of the importance of taking Europeanization into account. While the French might be skeptical of Europeanization, by addressing it domestically they can work to come to an understanding of how domestic policy goals can be meshed with the goals of the European Union. Furthermore, developing a more thorough understanding of Europeanization allows the French to be better prepared for the challenges that it might present. Prior to the Maastricht Treaty, European affairs did not register on the radar of most politicians and were considered to be significantly less important and relevant than domestic affairs. While Maastricht did not single handedly reverse the opinion of French politicians, their reactions to the Maastricht Treaty indicate recognition of Europeanization as force to be dealt with.

Examining the responsibilities of the General Secretariat of the Inter-ministerial Committee for Question on European Economic Cooperation (SCGI) illustrates perhaps

the most significant change within domestic French structure. This position, which has existed in France since 1948, was initially charged with managing the implementation of the Marshall Plan in France. The responsibilities of the SCGI have evolved over time, in accordance with the development of the EU. The most noticeable change, however, occurred in the 1990s, following the adoption of the Maastricht Treaty. After the Maastricht Treaty was put in place, the SCGI was given responsibility for overseeing those areas of policy that fell under the Justice and Home Affairs pillar of the Maastricht Treaty. However, the SCGI's duties were extended beyond France's borders, with him serving as somewhat of a liaison between France and the EU.[43] Included in the list of responsibilities are: "insuring interministerial coordination of French representatives in Brussels…organizing a smooth flow of information between the national level and the European level…keeping the Parliament informed of governmental bills to the EU."[44] The SCGI serves to coordinate relations between the national government and the EU institutions, while also maintaining an archive of European legislation for reference at the national level. The increased role of the SCGI allows France to be more knowledgeable of the EU and essentially keep tabs on the actions and decisions of the European Union. In this way, combined with the committees within the Senate and National Assembly, France can to a degree attempt to regulate the direction of the EU and retain some of its control. Regardless of the motives behind increasing the SCGI's authority, this change is indicative of a larger trend related to the domestic impact of Europeanization in France.

In the post-Maastricht period, increased cohesion became characteristic of

[43] Gueldry, 56-57.
[44] Ibid., 57.

France's approach to the European Union and its European foreign policy. Furthermore, elite discourse during this period emphasizes the importance of recognizing the value of the EU and reconciling it within French domestic institutions. Though the French may not necessarily always agree with the policies of the European Union, it is necessary to continue to support the EU, as Giscard explained in an interview during his tenure in the European Parliament:

> The idea of European unity is a French idea. If we refused to approve the treaty which is the next step in the union of Europe, we would signal an end to an idea that for 40 years has been constant in France. Then tell them that if we do not ratify the Maastricht Treaty, we might see the gradual dismantling of the Community.[45]

Once again, Giscard emphasizes the centrality of France in the construction of the EU. Because the goals of the Maastricht Treaty are in accord with the French perception of the EU, political elites supported its ratification and implementation. Jacques Delors echoed Giscard's sentiment, explaining that Maastricht would provide the strength that the EU needed to reassert the influence of the member states on the world through the dominance of the EU.[46] The post-Maastricht period was an important moment in time, as the French elites came to realize that a strengthened, political EU could provide an additional avenue through which they could pursue their policies and goals. Thus, when François Mitterrand emphasized that "it [Maastricht] must be ratified," he was motivated by a desire to reassert France's authority in the international system.[47] The Maastricht Treaty enabled French political elites to change their conception of the EU and

[45] Daniel Carton, "*Un entretien avec M. Giscard d'Estaing*."
[46] Jacques Delors, "Address at Bruges;" Jacques Delors, "Address at Maastricht."
[47] Francois Mitterrand, "Television Interview with Francois Mitterrand."

emphasize the possibilities that it held for France.

Perception of the General Public

The change in opinion among the political elites in France was also accompanied by an overall heightened awareness of the European Union on the domestic level. Whereas many of the changes enacted by the Maastricht Treaty have had a limited impact on the general public, in an overarching sense, Maastricht's most observable effect for the general population has been increased visibility for the European Union. Public opinion surveys conducted by the European Union, through the Eurobarometer, reflect this trend. Most notably, the Maastricht Treaty increased awareness among the citizens of France with regards to the institutions. Between 1991 and 1992, awareness of the European Parliament increased from 38% to 54%.[48] Though there were fluctuations in the percentages of the population responding positively during that time period, the general trend is toward increased awareness. This trend is also echoed by awareness of the European Commission, which increased from 37% to 50% from 1991 to 1993.[49] This change in awareness level, coupled with the increasing powers of the European Union, enabled French citizens to better understand how the EU could and would impact their lives in the post-Maastricht period. Whereas prior to Maastricht, the EU was seen as a

[48] Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 35, June 1991; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 36, December 1991; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 37, June 1992; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 38, December 1992.
[49] Commission of the European Communities, 35; Commission of the European Communities, 36; Commission of the European Communities, 37; Commission of the European Communities, 38; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 40, December 1993.

distant and relatively unimportant body, in this period it took on a more tangible role in international affairs and the lives of French citizens alike.

Indicative of this new perception of the EU as a possible actor, during this time the general population also became more eager to see the EU take a degree of political control. When asked about their attitudes towards political union, half to three quarters of the French surveyed responded that they were in favor of joint foreign policy as well as joint security and defense policy.[50] Interestingly, despite this trend indicating an increased awareness and acceptance of the European Union, responses to other surveys suggest a different story. While 63% of the French were in favor of a European government responsible to the European Parliament in 1991, by 1993 that number had dropped to 49%.[51] Similarly, though not such a drastic change, the percentage of the French population surveyed that desired a more important role for the European Parliament, decreased from 65% to 58% between the beginning of the 1991 and the end of 1992.[52] This could be a reaction to the actual increased role of the European Parliament, or it could reflect a desire to keep the power of the EU from becoming too great. The dichotomy observed within the results of Eurobarometer public opinion surveys from Maastricht and post-Maastricht period reflect the greater climate in France surrounding Europeanization and political sovereignty in the early 1990s.

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[50] Commission of the European Communities, 35; Commission of the European Communities, 36; Commission of the European Communities, 37; Commission of the European Communities, 38; Commission of the European Communities, 40.
[51] Commission of the European Communities, 35; Commission of the European Communities, 36; Commission of the European Communities, 37; Commission of the European Communities, 38; Commission of the European Communities, 40.
[52] Commission of the European Communities, 35; Commission of the European Communities, 36; Commission of the European Communities, 37; Commission of the European Communities, 38.

Balancing Europeanization

The post-Maastricht period in France was one of cautious optimism. While France was hopeful of the opportunities that would be afforded them by a stronger, more effective EU, its leaders were also worried about the domestic impact and loss of sovereignty that would necessarily accompany those changes. There is no doubt that as a result of the Maastricht Treaty, there were political changes enacted on both the European and domestic levels. Institutions on the EU level were strengthened, while domestic institutions were adjusted to reflect the increasing importance of the European Union as an institution. However, these changes did not go unchecked.

In the post-Maastricht era, France was caught between retaining sovereignty and contributing to the strength of the EU. Despite ratifying the Maastricht Treaty which no doubt had the effect of limiting its political sovereignty, to a degree, as the public opinion surveys indicate, there was a still a degree of skepticism as pertained to the EU and renouncing political sovereignty. That skepticism is understandable. The involvement of the European Union in the political realm was a very new development at this time. There was a learning curve present for both European and domestic political leaders. Furthermore, the institutions of both the member states and the European Union would need to be adapted to reflect what this new development would mean for their power relationship.

The uncertainty surrounding the future of the EU and the member states was clearly reflected in France's political reaction to the Maastricht Treaty. Maastricht was taking strides to political integration, but France was also pulling back. Many of the

domestic adaptations in France, while seemingly recognizing EU's increasing relevance, can also be interpreted as an attempt to keep the growing power of the EU in check. French political leaders hope to simultaneously support the growth and development of the EU while holding on to their vision of the EU as limited in scope and strength. This internal tug-of-war would no doubt pose a challenge to the future of Europeanization; only time would tell how Europeanization would progress politically. Would France win out and be able to retain its sovereignty, would the EU continue to demand an increased degree of control or would a balance be found somewhere in between?

The EU Constitution, Lisbon, and Beyond

The European Constitution: A Foundation for the Treaty of Lisbon

Following the effectiveness of the Maastricht Treaty and two treaties that followed, the Treaty of Amsterdam (signed in 1997, in effect 1999) and the Treaty of Nice (signed 2000, in effect 2003), the member states of the European Union decided the time was right to take a greater step towards closer integration.[53] On October 29, 2004 the 25 European Union member states at the time came together in Rome to sign an important document, the Treaty Establishing a Constitution for Europe. The basis for the Treaty was put in place along with the Treaty of Nice, but nearly four years of meetings of the Inter-Governmental Conference (IGC) were needed to come up with a plan of action. Among the goals of the Treaty, in addition to providing for stronger ties between member states, was the simplification of the European Union that had become complex

[53] Europa, "Treaties and Laws," http://europa.eu/abc/treaties/index_en.htm.

and convoluted after fifty years of treaties and legislation.[54] The Constitutional Treaty was broken down into four parts, each with specific areas of relevance shown in Table 4.2.

Table 4.2: The Structure of the EU Constitution[55]

Section	Subject	Titles Addressed
I	Principles, objectives and institutional provisions of the EU	the definition and objectives of the Union; fundamental rights and citizenship of the Union; Union competences; the Union's institutions; the exercise of Union competence; the democratic life of the Union; the Union's finances; the Union and its neighbours; Union membership.
II	European Charter of Fundamental Rights	dignity; freedoms; equality; solidarity; citizens' rights; justice; general provisions.
III	Provisions governing the policies and the functioning of the Union	provisions of general application; non-discrimination and citizenship; internal policies and action; association of the overseas countries and territories; the Union's external action; the functioning of the Union; common provisions.
IV	General and Final Provisions	

Though signed by all 25 Member States, in theory in recognition of their support for the project, the ratification of the Constitutional Treaty proved to be an insurmountable challenge, especially in France. France's support of the Maastricht Treaty, the Treaty of Amsterdam and the Treaty of Nice over the past decade would have suggested increasing acceptance of Europeanization, the rejection of the Constitutional

[54] Europa, "Uniting Europe Step By Step – The Treaties: A Constitution for Europe," http://europa.eu/scadplus/constitution/introduction_en.htm.
[55] Ibid.

Treaty tells another story, one that had been developing over the past decade as well. As a Constitution, the implications of the Treaty were far greater than those of any of the treaties that had been passed since Maastricht. Most importantly, the Constitution would have given the EU new political powers and further increased its authority as an international institution, calling into question the relationship between the EU and the member states once again.[56]

Consequently, the French voted no because of "national concerns about the tremendous changes France has experience as a result of European integration and globalization, in particular since the mid-1980s."[57] With the Constitution, the French feared that their conception of Europe, as a corollary to the nation-state, was being jeopardized. Through the Constitution, they saw their already diminished power reduced even further and what little prestige remained being put into question. The French were afraid not just of Europeanization but of the larger trend of globalization that it represented. They worried that the Constitution would threaten their national identity, culture, and sovereignty.

Though, as was also seen with the Maastricht Referendum in 1992, the French "*non*" was not motivated simply by perceptions of Europeanization but by underlying domestic issues as well, the rejection had enormous implications for the future of the European Union. France may not be the grand leader of the European Union that it once was but it is still one of the larger and more important member states. The impact that its

[56] Europa, "Uniting Europe Step by Step – The Treaties: The Founding Principles of the Union," http://europa.eu/scadplus/constitution/objectives_en.htm.
[57] Vivien A. Schmidt, "Trapped by Their Ideas: French elites' discourse of European integration and globalization," *Journal of European Public Policy* 14, no. 7 (October 2007): 993.

"*non*" had on the European community indicates that France remains influential in the European Union. The failure of ratification not only in France but in the Netherlands as well, prompted a period of reflection on the future of the European Union, which ultimately led to the creation of the Treaty of Lisbon.[58]

The Basics of the Treaty of Lisbon

Emerging as a "Plan B" of Europeanization out of the failed ratification of the European Constitution, the Treaty of Lisbon is the most recent step toward increasing integration among the EU member states. Signed on December 13, 2007, following a summit in Lisbon, Portugal, the Treaty of Lisbon went into effect on December 1, 2009. After France and the Netherlands failed to ratify the Treaty Establishing a Constitution for Europe, the member states had to return to the drawing board to come up with a compromise. At the Brussels European Council of June 21 and 22, 2007, European leaders came to agreement and decided to put into practice a reform treaty rather than a constitution.

As a treaty, rather than a constitution, the implications of Lisbon were not as significant. This is most noticeable in a language change wherein in the laws and framework laws mentioned in the Constitution are replaced by the conventional terminology of regulations and directives.[59] Though at the core, the message of the two documents remains very similar, to provide for the increasing integration of the EU

[58] Europa, "Uniting Europe Step By Step – The Treaties: A Constitution for Europe."
[59] Europa, "The Brussels European Council – 21 and 22 June 2007," http://europa.eu/legislation_summaries/other/constitution_european_council_2007_en.htm.

member states, the way in which the contents are presented speaks to the complexity of and the challenges posed by European integration.

The Treaty of Lisbon was put into place with the objectives of:

> Mak[ing] the EU more democratic, meeting the European citizens' expectation for high standards of accountability, openness, transparency and participation; and to make the EU more efficient and able to tackle today's global challenges such as climate change, security and sustainable development.[60]

This statement alludes to the overarching goal of Lisbon: to improve the functionality of the EU so that it could better serve the people of Europe. Politically, Lisbon emphasized the creation of efficient and modern institutions including the European Parliament, European Council, Council of the EU, and European Commission.[61] In conjunction with the improvement of the institutions Lisbon also called for a more transparent and democratic Europe. This goal would be achieved by increasing the powers of the European Parliament, giving the national parliaments a more significant role, increasing transparency in the Council of Ministers, increasing participatory democracy and building the relationship between the EU and its member countries.[62]

France's much more enthusiastic support of the Treaty of Lisbon, as opposed to the Constitutional Treaty, perfectly illustrates its hot and cold approach to Europeanization. When the French perception of Europeanization aligns with the approach being undertaken by the EU, as it did with Lisbon, then French support is likely strong. However, when France's perception does not align with the EU's vision, as in the

[60] Europa, "Treaties and Laws."
[61] Europa, "Efficient and Modern Institutions," Treaty of Lisbon, http://europa.eu/lisbon_treaty/glance/institutions/index_en.htm.
[62] Europa, "A More Democratic and Transparent Europe," Treaty of Lisbon, http://europa.eu/lisbon_treaty/glance/democracy/index_en.htm.

case of the Constitutional Treaty, then France becomes a staunch opponent to Europeanization. Though France may not be the influential power that it once was, it still plays an important role in the EU and its support is necessary for Europeanization to progress. Thanks in part to France's acceptance of it, the Treaty of Lisbon has already resulted in important changes on the European level and is beginning to have an impact on the domestic level as well.

Changes Brought About by Lisbon

At this point in the integration and Europeanization process, many member states are ready for sweeping changes that will lead to ever-closer union. While they may have had to concede some of their grander visions, the Treaty of Lisbon, though more moderate, still provides for a variety changes on the European level. These changes include: structural evolution within the major institutions, new decision-making procedures, the creation of new positions, and an increased role for the nation-states in European institutions.[63] While somewhat limited in scope, these changes are an important stepping-stone as the process of Europeanization moves forward. Sometimes, it is necessary to make small concessions to keep the process moving, rather than halt the process entirely by demanding too much.

As a result of the Treaty of Lisbon, the size of the European Parliament will be limited to 751 members (750 representatives and the president).[64] Each country is required to have at least six seats and may have no more than 96 seats, allotted by

[63] Europa, "Efficient and Modern Institutions;" Europa, "A More Democratic and Transparent Europe.
[64] Europa, "The Brussels European Council – 21 and 22 June 2007."

degressive proportionality.[65] The larger the size of a member state, the more seats it will be given in Parliament.[66] However, the cap on the number of seats, combined with voting regulations, limits the power of single states to sway decisions within the legislative body. Furthermore, by increasing the number of representatives, the vote of each individual Member of Parliament becomes less and less important. The evolution of the role of Parliament, and the relative power of the states within it, highlights the diminished role that France is accepting with each successive EU treaty.

Within the European Commission as well, the power of each individual member state is limited. Whereas previous treaties limited the number of commissioners to a portion of member states, the Treaty of Lisbon "offers the perspective that a Commissioner from each Member State becomes Member of the Commission."[67] This means that each member state is given a say in the affairs and decision-making of the Commission, at all times, rather than just when the Commissioner is allowed to be part of the Commission. Now decisions must take into account all 25 member states, lessening the chances that a single state can possibly block a decision made by the body.[68] In this way, the Treaty of Lisbon makes a further push to protect the public interest of all EU citizens.

The European Council as well sees an increase in its effectiveness due to the Treaty of Lisbon. Under the Treaty of Lisbon, the European Council becomes a "full EU

[65] General Secretariat of the Council of the EU, "Information Note: Treaty of Lisbon," December 2009, http://www.consilium.europa.eu; Europa, "The Treaty at a Glance," Treaty of Lisbon, http://europa.eu/lisbon_treaty/glance/index_en.htm.
[66] Europa, "The Treaty at a Glance."
[67] Europa, "Efficient and Modern Institutions."
[68] Ibid.

institution".[69] A new system is put in place wherein in the European Council will elect the President of the Council for a term of two and a half years, renewable once, replacing the current rotational system.[70] This new system will hopefully allow for increased continuity and efficiency within the European Council. This change could either benefit or harm France. Under this system, if a French politician is voted into the presidency, he will have control of the Council for two and a half years. However, if a politician from another country is chosen, particularly one with radically different views than France, problems could arise. France's willingness to take this gamble and eliminate its guaranteed presidency once every 25 years is a glimmer of hope for the future of Europeanization.

These structural adjustments within the institutions are accompanied by critical changes in the decision-making procedures within the institutions. Most notably, the co-decision procedure that was put in place under Maastricht becomes the "ordinary legislative procedure" and is extended to be relevant in 40 different fields.[71] By giving more power to the European Parliament, co-decision is designed to provide an increased layer of protection for the interests of the general population.[72] Qualified majority voting is extended in the Council once again, replacing unanimity. A new type of voting is introduced as well, a double majority voting system, which will come into effect in 2014. In order to pass an act, 55% of the EU member states (15 out of 27) and 65% of the population of the EU must support the decision. To block a decision, there must be at

[69] Ibid.
[70] Europa, "The Brussels European Council – 21 and 22 June 2007."
[71] Ibid.
[72] Europa, "A More Democratic and Transparent Europe."

least four states in opposition.[73] This new system of voting indicates a desire to balance voting within the EU. It limits the power of the larger member states (such as France) by requiring the accompanying percentage of population of the EU for a decision to be approved, emphasizing the importance of the people within the EU.[74] These changes, and those in the institutions as well, reflect an ever-so-slight shift in perspective. No longer are the member states the sole factor to be considered in the decision-making procedure. With the Treaty of Lisbon, there is an increased emphasis placed on the importance of the citizens of member states as EU citizens as well. The focus of the EU is changing and evolving along with Europeanization.

In addition to changes within existing EU institutions and positions, two new positions are created as a result of the Treaty of Lisbon. Already mentioned briefly, the High Representative of the Union for Foreign Affairs and Security Policy is put into place as the representative for Common Foreign and Security Policy. He/she is also the President of the Foreign Affairs Council and the Vice-President of the Commission.[75] According to the EU, the High Representative "should ensure consistency in the EU's dealings with foreign countries and international bodies."[76] While the High Representative of the Union for Foreign Affairs and Security Policy is responsible for the EU's foreign relations, the European External Action Service serves as resource for diplomacy within and between the member states. The European External Action Service "comprise[s] officials from relevant departments of the General Secretariat of the

[73] General Secretariat of the Council of the EU, "Information Note: Treaty of Lisbon."
[74] Europa, "Efficient and Modern Institutions."
[75] Europa, "The Treaty at a Glance."
[76] Ibid.

Council and of the Commission as well as staff seconded from national diplomatic services."[77] Its responsibility is to work with the member states with regard to various aspects of diplomacy to ensure cohesion on the national and European level.[78] These changes set an example for member states that might be skeptical of Europeanization by suggesting that European affairs and the cooperation of member states in the political realm is important.

The Treaty of Lisbon not only has an impact on the European level but on the national level as well. Most notably, the Treaty of Lisbon provides an increased role for the national parliaments. Each national parliament is now given eight weeks to examine drafts of European legislation before it is enacted.[79] Even more importantly, the national parliaments have the power to block legislation:

> If a sufficient number of national parliaments is convinced that a legislative initiative should better be taken a local, regional, or national level, the Commission either has to withdraw it or give a clear justification why it does not believe that the initiative is in breach with the principle of subisidiarity.[80]

This new emphasis on the national parliaments serves as a check on the power of the European Union and the institutions. Presumably, the national parliaments will now have more control over European legislation and possibly an increased say in the way that EU policies unfold. For a country such as France that worries about the direction of the EU, this element of the Treaty of Lisbon provides an opportunity to retain a degree of control.

Furthermore, the Treaty of Lisbon provides the explicit definition of different categories of powers, indicating a division of responsibility between member states and

[77] General Secretariat of the Council of the EU, "Information Note: Treaty of Lisbon."
[78] Ibid.
[79] Europa, "The Treaty at a Glance."
[80] Ibid.

the EU. Exclusive powers are those reserved for the EU; shared powers are those in which responsibility is shared between member states and the EU; and support, coordinating, or complementary action requires the EU to support the actions of member states.[81] In this way, an interesting dynamic of dependency is created, wherein neither the member states nor the EU has complete control. This allows France to retain a degree of sovereignty in the realm of support, coordinating, or complementary actions, but it also forces France to support the EU's decisions in the realm of exclusive powers, even if the decision does not align with France's views. In order for EU integration and Europeanization to be further successful, it is necessary to create a balance between the member states and the European Institutions.

The Treaty of Lisbon also gives powers to the citizens, through a new citizens' initiative, which allows one million EU citizens to petition the Commission to address an issue that falls under EU jurisdiction.[82] The citizens' initiative reflects the trend mentioned earlier, wherein the Treaty of Lisbon places an increased importance on the notion of European citizenship and those who hold it. Just as member states are accountable to their citizens, so the EU is accountable to its citizens as well, albeit on a much grander scale. These new powers afforded to citizens and member states by the Treaty of Lisbon complement the strengthening of control on the European level and also acknowledge their continued relevance and importance as actors in European and international affairs, despite the growing relevance of the EU as well.

Though the Treaty of Lisbon increased the power of the EU and strengthens its

[81] Europa, "A More Democratic and Transparent Europe."
[82] Ibid.

institutions, it also provides for restrictions on the EU's powers, through increased transparency and a more important role for the national parliaments and European citizens.[83] Interestingly, this dichotomy is a very close reflection of France's perception of the ideal European Union. This European Union is effective, but not so effective that it replaces the nation-states that give it power and authority. The Treaty of Lisbon reflects the delicate balance between the EU and member states that must be achieved in order to increase the political power of the EU. France is willing to give, but it also needs to feel as though it is receiving benefits as well. Because of the complexity of give and take, the progression of Europeanization is slow. However, the Treaty of Lisbon can be seen as a continuation of the changes enacted by the Maastricht Treaty, suggesting that Europeanization is slow but steady. The impact of Europeanization can be further understood by examining the way in which the changes that were enacted on the European level by the Treaty of Lisbon are internalized on the national level.

The Domestic Impact of Lisbon

As the Treaty of Lisbon entered into force fewer than six months ago, its impact is somewhat difficult to interpret. While there are some changes that can be observed, more time is necessary to gather concrete evidence that can be used to understand the political impact of the Treaty of Lisbon and the process of Europeanization. Despite the limited amount of information available, preliminary conclusions can still be drawn based on the examination of the French Constitution, the discourse of political elites and recent public

[83] Europa, "The Treaty at a Glance."

opinion. Most importantly, observations of these various subjects reflect that the process of political integration within the EU is progressing.

The deliberation of the French Constitutional Council on the Treaty of Lisbon on December 20, 2007, provides relevant insights into some of the broader political changes that are necessary in France to adopt the Treaty. Speaking to the more extensive reach of the Treaty of Lisbon, the Constitutional Council found it necessary to make many more changes to the Constitution, especially politically than it did when the Maastricht Treaty was examined.[84] While indeed the Treaty of Lisbon was broader in scope, the number of changes could be also be attributed to increasing wariness of the growing strength of the EU, especially in the wake of the Constitutional Treaty referendum.

However, the willingness of the Constitutional Council to recommend a wide range of changes to the French Constitution to rectify the disjunction with the Treaty of Lisbon, suggests that Europeanization does in fact have a positive effect. After the changes required by Maastricht and subsequent treaties, the French government is more willing to enact further changes. One of the most striking observations of the Constitutional Council is point 18, "the provisions of the Treaty of Lisbon which transfer to the European Union under the 'ordinary legislative procedure' powers inherent in the exercising of national sovereignty require a revision of the Constitution."[85] This statement can be interpreted as France's willingness to accept the transfer of a degree of its sovereignty to the European Union, a shocking development when thinking of

[84] French Constitutional Council, "Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community: Decision 2007-560," Paris, December 2007, 2007-560 DC.
[85] Ibid.

France's centralization.

There are also a number of other amendments to the French constitution that were required by Lisbon including: a transfer of powers in new areas, new manners of exercising powers that were already transferred, the adoption of qualified majority voting under a subsequent European decision, simplified revision procedures, and new powers vested in national parliaments in the framework of the Union.[86] As a result of these changes, the five previous articles pertaining to the European Union within the French Constitution are to be modified and two new articles are to be included, Articles 88-6 and 88-7. Both articles pertain to the new powers of the national parliament with relation to the EU.[87] Interestingly, despite all the changes necessitated by the Treaty of Lisbon, never once in the deliberation is there any mention of the possibility of not ratifying the Treaty of Lisbon. The changes, then, most likely are in accord with the vision that France holds of the EU. France's acceptance of a greater number of changes and a treaty with a broader scope than any previously ratified, suggests that Europeanization is having somewhat of a positive impact on one of the most reluctant member states.

In fact, the Treaty of Lisbon received support from a number of political elites in France including Nicolas Sarkozy, Bernard Kouchner, Pierre Lellouche and Joseph Daul. Tellingly, in a speech on December 16, 2008 at the end of his term as President of the Council, Sarkozy explained, "I tried to change Europe, but Europe changed me."[88] This brief line speaks volumes about the power of Europeanization to influence opinions and

[86] Ibid.
[87] The French National Assembly, "Title XV: On the European Communities and the European Union."
[88] Nicolas Sarkozy, "Speech to the European Parliament," Strasbourg, December 2008, http://www.ambafrance-uk.org/President-Sarkozy-s-speech-to,14165.html.

decisions. The more deeply one is involved in European affairs, the easier it is to understand the value of increased integration. The opinions of the other leaders suggest that Europe has changed the overall perception of the EU in France as well, at least politically. In a joint statement on December 1, 2009, Kouchner and Lellouche lauded the Treaty of Lisbon explaining that Lisbon "completes an institutional process begun 20 years ago…to tailor our institutions to EU enlargement and the challenges of globalization…with these institutions, we are better equipped to provide the political response European citizens are waiting for."[89] Daul also echoes this sentiment, explaining, "we are giving the EU the necessary tools for it to function effectively."[90]

Interestingly, despite these overwhelmingly positive impressions of the Treaty of Lisbon, there is still a degree of reservation with regards to political integration. In February 2008, Sarkozy made a speech after the passing of the bill that authorized the ratification of the Lisbon Treaty and emphasized Lisbon as a treaty, rather than the failed constitution. There are important political distinctions between a treaty and a constitution, with a treaty having a more superficial political impact than a constitution.[91] The importance of this distinction suggests that the French are still not entirely comfortable with the idea of political integration. Daul as well echoes this French vision of the EU explaining, "we do not want a European State…we want super efficiency,

[89] Bernard Kouchner and Pierre Lellouche, "Joint Statement: Entry in force of the Treaty of Lisbon," Paris, December 2009, http://www.ambafrance-au.org/france.australie/spip.php?article3682.
[90] European Parliament, "MEP debated forthcoming crucial Lisbon summit and new Reform Treaty," October 2007, http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+IM-PRESS+20071008BRI11349+ITEM-002-EN+DOC+XML+V0//EN&language=EN.
[91] Nicolas Sarkozy, "Speech after the passing of the bill authorizing the ratification of the Lisbon Treaty," Paris, February 2008, http://ambafrance-in.org/france_inde/spip.php?article4282.

democracy, transparency and the respect of subsidiarity."[92] Under the principle of subsidiarity, the EU only acts when it is more effective than actors on the local, regional, or national level.[93] This restriction on the power of EU accords with the approach that the French have taken to Europeanization and political integration. The French have a very distinct conception of the "best" EU and will support political integration only in so far as that vision is upheld.

This distinct vision of the EU is not restricted to French political elites. Rather, this conception of Europe is one shared by the general French population. In 2009, when asked about their vision, 44% of French citizens surveyed responded that they wanted a "Europe of States" in which states have the choice of whether or not they want to cooperate with other states. However, 33% of French were in favor of increased integration, while still respecting the rights of states. Only 14% wanted the EU to become a supranational government.[94] As mentioned continuously throughout this chapter, the French are supportive of Europeanization, but only so long as it creates a Europe that matches their vision of what Europe should be.

Over the past decade, due in large part to the increasing awareness of the European Union, what it stands for and what it does, the French public has become more comfortable with the notion of Europeanization. However, there still remains a large degree of skepticism surrounding the European Union and how it will impact the future of France. Since the signing of the Treaty of Lisbon, trust in European institutions has

[92] European Parliament, "MEP debated forthcoming crucial Lisbon summit and new Reform Treaty."
[93] Europa, "A Plain Language Guide to Eurojargon," http://europa.eu/abc/eurojargon/index_en.htm.
[94] Commission of the European Communities, *Eurobarometer Flash*, *Quelle Europe? Les Français et la construction européenne*, May 2009

been falling. Trust in the European Parliament dropped from 58% in 2007 to 44% in 2009 and trust in the European Commission fell from 54% in 2007 to 39% in 2009. However, ¾ of the French population considered the role played by the European Parliament and the European Commission as "important".[95] Once again, the duality of French opinions towards Europeanization is evident. However, it is important to notice that the loss of trust in EU institutions occurs at the same time when the Treaty of Lisbon is aiming to fix such problems. As no surveys have been conducted since the implementation of Lisbon, it is possible that as a result of Lisbon, this downward trend will be reversed.

A study of the impact of the Treaty of Lisbon in France presents interesting evidence about the process of Europeanization in the political realm in France. For the general public, the most significant impact of Europeanization has been increased awareness of the political institutions on the European level, as well as sustained support a degree of joint-decision making.[96] Within domestic institutions, despite continued skepticism surrounding the EU and its role, there is a willingness to allow the EU to take a certain degree of control, so long as France still retains what it deems to be the "right" amount of control. The period following the Maastricht Treaty, leading up to and including the Treaty of Lisbon, shows that political integration is possible, so long as certain conditions are met. In order to support Europeanization, the French must believe that their vision of Europe is being realized. As such, process of political

[95] Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 69, November 2007; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 70, December 2008; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 71, September 2009; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 72, December 2009.
[96] Commission of the European Communities, 69; Commission of the European Communities, 70; Commission of the European Communities, 71; Commission of the European Communities, 72.

Europeanization requires the delicate balancing of European efficacy and national sovereignty. Though political integration may be slow and incomplete, with time, closer union is possible.

Conclusion

The almost twenty year period that begins with the signing of the Maastricht Treaty and ends with the implementation of the Treaty of Lisbon provides important insights into understanding the way in which Europeanization and changes within the European Union impact domestic political structures and perceptions of the European Union. The Maastricht Treaty, as the first introduction of the elements of political integration, was somewhat limited in its scope. However, it laid important foundations that enabled Europeanization to progress throughout the 1990s and into the new millennium. The Treaty of Lisbon builds on the foundations of Maastricht, as well as those set by the Treaties of Amsterdam and Nice, to propose more extensive political integration.

Though Europeanization has progressed significantly since the early 1990s, the process has been neither smooth, nor simple. In France especially, with the ratification of each new treaty, the debate between the pro-Europeans and the Euroskeptics was reinvigorated. The pro-Europeans and Euroskeptics were most vocal with the Maastricht Treaty, the EU Constitution and the Treaty of Lisbon, using referendums and debates as opportunity to express discontent over domestic and European policies alike. The pro-Europeans argued that further integration in the EU would be beneficial for France,

enabling it to reassert some of its lost authority. The Euroskeptics, on the other hand, believed that too much integration would threaten and dilute French sovereignty: political, social, and economic. Between the period of the Maastricht Treaty and the Treaty of Lisbon, the pro-Europeans can be declared the winners of the debate, with their support of the treaties enabling their ratification.

However, the process of Europeanization cannot be understood merely through a legislative perspective. The true test of the efficacy of Europeanization is the realization of tangible changes, on both the domestic and European levels. Both Maastricht and Lisbon brought about institutional change within the EU, leading to the strengthening of EU institutions. The changes on the European level as a result of Maastricht helped to encourage domestic changes in the period that followed the treaty being put into effect. Furthermore, the changes in the early to mid-1990s paved the way for the closer integration that accompanied the Treaty of Lisbon when it went into effect in December 2009. Europeanization, however, is anything but a simple, linear progression. It is a complicated process that requires accord between many different goals and visions.

In examining France's experience with Europeanization over the past twenty years, the complexity and challenges that come along with the process are evident. France is a state based on a strong tradition of centralization, and as such, is wary of the threat to its sovereignty presented by the European Union. While France is increasingly open to the idea of political integration, especially since the implementation of the Maastricht Treaty, it is still skeptical. Many instances throughout France's recent past exemplify this but perhaps it is most significantly evidenced by the requirement of the

new European Union legislation to take the form of a treaty, rather than a constitution. While seemingly a simple change in vocabulary, the implications of the ratification of a treaty, rather than a constitution, signify continued caution surrounding political integration.

Because political integration is still a relatively new notion, French political leaders are still working to understand how to balance their desire to see an effective European Union with their desire to simultaneously retaining a degree of sovereignty. This tug-of-war pervades the experience of French political leaders and the general public alike with the process of Europeanization. The French are really trying to have it both ways: to benefit from integration on the one hand, while also not compromising *étatisme* and their political identity on the other. This internal conflict presents a challenge to Europeanization in France, as the French are constantly torn between two sets of ideals.

A further challenge to the progression of Europeanization in France comes from France's extremely particular idea of the shape that the Europe of the future should take. The French envision a Europe that is integrated, but also allows member states to retain sovereignty and freedom. This conception of Europe allows the French to balance their European and domestic political ambitions. Consequently, when European integration aligns with this vision of Europe, the French are enthusiastic about its possibilities. On the other hand, when the visions are misaligned, the French become very skeptical of Europeanization and reluctant to support the EU's endeavors. Though France has seen its role in the EU diminish over the past twenty years especially, it still remains influential, meaning that when it does not support Europeanization, the process cannot move forward

effectively. However, France does not eternally oppose Europeanization, suggesting that Europeanization can in fact progress.

The dichotomy in France does help to explain why political integration has not progressed to the same extent as economic integration. While French political leaders may be among the more vocal EU members when it comes to their objections that does not mean that other states are not faced with similar changes. Because political integration is still a relatively new concept (as compared to economic integration), it is only natural that there are questions about the impact that political integration will have on the EU, the member states and the relationship between them. That does not mean, however, that political integration is not possible.

It is important to remember that the tight economic integration that exists today did not happen overnight, rather, it was a slow process that took nearly fifty years to come to fruition. Likewise, political unification will not be a quick process either. If both leaders at the European level and the domestic level are patient and open-minded however, there is no reason why the EU cannot continue the forward march toward political integration. The most important conclusion that can be drawn based on a study of France, political integration, the EU and Europeanization over the past twenty years is that political integration is possible, but to reach the same degree of political integration as there is currently economic integration will be neither an easy nor a quick process…but with time, come possibilities as well.

Chapter 5: The Europeanization of Social Sovereignty

Introduction

From its inception in the post-World War II period, the European Union and its various forms were based heavily on the economic integration of the member states. These states cooperated in areas of shared economic interest, where they could be more effective acting together, rather than individually. Over time, as economic integration increased, there was a push for the creation of political institutions that could regulate the economic activities of the community. Up until this time, the European Union was somewhat abstract and distant, affecting the state and the lives of elites much more directly than it did the average citizens of the EU. However, with the last push for greater economic integration, and the political integration that accompanied it, in the late 1980s and early 1990s, the notion of social integration became relevant in discourse surrounding the EU as well.

Whereas economic and political integration are relatively clear-cut in their processes and goals, social integration is more ambiguous and more complicated. This chapter presumes to understand social integration as the impact of Europeanization on the social sovereignty of member states and their citizens. As a result of social integration, the European citizens and states gain a new layer of rights and responsibilities in the social realm. The social extension is meant to break down barriers between the citizens of the EU to create cohesion on the most fundamental level. This integration can then reinforce the political and economic integration projects taking place on the national and supranational level. Additionally, the social extension of the European Union and the

additional benefits given to member states and citizens as a result, act as a compensation for the loss of sovereignty that occurs in the political and economic spheres. It can also be seen as an attempt to provide stability to the shifting socio-economic system in the EU. With economic integration and the transfer of economic authority from the member states to the EU, the socio-economic position of the citizens of member states changes as well. Through social integration, the citizens of these member states can better understand their position in the EU as it develops.

While social integration is not meant to be a negative force and a threat to the member states, many of them, especially France, see social integration as a threat to their social sovereignty. The notion of social sovereignty can have many different interpretations whether approached from a socio-economic viewpoint or based on the French model of social identity. For the purposes of this study, social sovereignty will be considered to be synonymous with national identity and the more direct impact on the daily lives of French citizens. The member states worry that their national identity will be eroded in favor a collective European identity even though the perceived threat of social sovereignty is incredibly intangible. Social integration cannot physically destroy what it means to be French or German or British or Italian and in fact, many of the elements espoused by European social policies complement the notions inherent in national identity.

Though the perceived threat to social sovereignty may be unfounded, it is still considered substantial by France and other member states. The French have a very particular conception of their national identity, rooted in universalism, cultural

superiority, language, culture, and common political identity. For the French, who are incredibly wary of any difference or change to the way they understand themselves, Europeanization poses a great threat. Based on these understandings of social integration and social sovereignty, the following chapter will study the impact that Europeanization is having on French national identity, or nationalism, and the way that the French understand themselves and the European Union.

What impact will Europeanization and the development of a European identity have on the French, their identity and their culture? Is a new European identity replacing French identity? Is the French identity holding staunchly in contrast to the European identity? Or is there the possibility of some sort of middle ground consensus (a Franco-European identity)? The answers to these questions will provide important insight into the future of the European Union and its relationship to the Frenchman (or citizen of any other member state). Analyzing the French reaction to Europeanization suggests that though the French are very proud of their identity, they are accepting of the idea of striking a balance between retaining sovereignty and being open to Europeanization. Perhaps national identity and European identity can complement, rather than compete with, each other.

In order to understand the impact that Europeanization has, or has not had, on French identity, it is first necessary to explicitly detail what is meant by French identity: its roots, its characteristics and its implications for understanding the EU and the world. The chapter will then unfold into three main sections.

- Section 2 will study the Maastricht Treaty and the changes enacted by it, to

understand the possible social implications of this initiation of social integration.

- Section 3 will examine the post-Maastricht period and the way in which France began to internalize the changes of the Maastricht Treaty, to understand the way in which social changes are reconciled and justified on the national level.
- Section 4 will revisit the study of Europeanization in the new millennium, briefly touching on the failed ratification of the EU Constitution before delving into an examination of the Treaty of Lisbon. The goal of this section will be to understand whether and to what degree there has been any progress in the realm of social sovereignty.

The observations from these three body sections will be brought together and analyzed in the conclusion, which will address the broader implications of France's experience with the social aspects of Europeanization.

French National Identity

The conception of French national identity held by French citizens today is rooted in the French Revolution and the year 1789. The French Revolution, in fact, gave birth to the French nation and its accompanying notions of nationalism and national identity.[1] Out of the Revolution was created:

> A *nation une et indivisible*, composed of legally equal individuals standing in a direct relationship to the state, out of a patchwork of overlapping corporate jurisdictions and pervasive corporate privilege; and of the substitution of a militant, mobilized nationalism for the cosmopolitanism, the prevailing

[1] Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, Harvard University Press, 1992), 43.

indifference to nationality and citizenship, of the old regime"[2]

This single statement provides many important insights into the way the French understand their identity and how that identity shapes how the French understand their world.

First and foremost, French national identity is based on allegiance to the French state, above all else. In the wake of the French revolution, membership in any sort of sub-national group was abolished, forcing the citizen to turn to the French state for protection.[3] In France, even today, the state remains paramount and the social and cultural aspects of national identity are closely linked with the political structure of the state. The complexity of French identity helps to explain why the French are so eager to guard it. A change in identity does not just affect the average citizen, but also has political and economic implications.

Furthermore, the allegiance to the French state emphasized by national identity has an important exclusionary element as well. By creating the nation and the nation-state, the French Revolution also created a sharp divide between those who are French and those who are not. As Brubaker explains:

> The Revolutionary invention of the nation-state and national citizenship thus engendered the modern figure of the foreigner – not only as legal category but a political epithet, invested with a psychopolitical charge it formerly lacked and condensing around itself purse outsiderhood.[4]

This notion of exclusion via 'outsiderhood' has characterized French identity for the past 200 years and still remains a very real element of French identity today. The outsider is

[2] Ibid.
[3] Ibid., 44.
[4] Ibid., 47.

seen as a threat to what it means to be French and consequently, being French comes with a sense of culture superiority and universalism. In France, there is one French culture, one French state, and one French identity. Multiculturalism and the hyphenated identities of the United States do not exist.[5]

French identity pervades all aspects of life in France: political, cultural, economic, religious. The French are incredibly proud of what it means to be French. But this pride is also accompanied by stubbornness and fear. Because French identity pervades so many different aspects of life, a threat to French identity in one sphere is perceived as having a ripple effect for the French nation and the French state as well. Threats to French identity come in many different forms, but the most pertinent for this study is the threat posed by the European Union. The French view the European Union in very much the same way that they view the immigrants in their country. Both the EU and the immigrants propose to integrate "un-French elements" into French identity, ultimately changing the French nation.

While the threat posed by the EU could be ignored when the EU existed as an overarching but somewhat ineffective supranational actor, as legislation such as the Maastricht Treaty and the Treaty of Lisbon come into effect, the threat posed by the EU to French identity becomes much more tangible. The strengthening of economic and political integration makes the threat of social integration a reality. This chapter will analyze how France is coping with and reacting to the threat that Europeanization is posing to French national identity. Can the French balance protecting their national

[5] Naomi Schorr, "The Crisis of French Universalism," *Yale French Studies* 100 (2001): 43-48.

identity with being open to the possibilities afforded them through social integration? The answer to this question will be explored throughout the following sections of this chapter by analyzing the French reaction to the changes proposed Maastricht Treaty and the Treaty of Lisbon. Examining these changes and the French reaction will enable conclusions to be drawn about the future relationship between European and national identity.

Starting Social Integration: The Maastricht Treaty

The Basics of Maastricht

In the previous chapter, the Treaty on European Union (Maastricht Treaty) was analyzed from a political perspective to understand the interaction between Europeanization and the state. In this chapter, the study of the Maastricht Treaty will be approached from the social perspective, in order to examine the impact of Europeanization on the nation. Though the impact of the Maastricht Treaty, which entered into force on November 1, 1993, was more significant in the political and economic realms, it did have an impact in the social realm as well.[6]

In fact, it was precisely the political and economic changes that enabled the framers of the Maastricht Treaty to envision the possibility of social integration. The economic cooperation that existed in the European Union prior to the Maastricht Treaty provided the impetus for the political integration, through the strengthening of EU

[6] Europa, "Summaries of EU Legislation: Treaty of Maastricht on European Union," http://europa.eu/legislation_summaries/economic_and_monetary_affairs/institutional_and_economic_framework/treaties_maastricht_en.htm.

institutions that resulted from the ratification of the Maastricht Treaty. The further political and economic integration gave a greater role to the EU and enabled the expansion of its reach into the social realm as well.[7] As political institutions were developed and strengthened to regulate economic integration, the visibility of the EU increased and citizens of member states began to associate more closely with it. Though extensive social integration was not a direct result of the Maastricht Treaty, it laid the foundations that would enable social issues to be considered further in future EU legislation.

Of the five goals that were outlined for the Maastricht Treaty, one was relevant in the social realm, to "develop the Community social dimension."[8] This objective is necessarily vague. As Maastricht was the first foray into the social realm of integration, there was no evidence about how the member states or their citizens would react to the possibility of forming a closer social community. However, emphasizing integration beyond the economic and political realm suggests that EU policymakers believed that for the EU to be more effective, it would need to touch the lives of EU citizens in other areas as well. Working toward the goal of a 'social dimension' would complement integration of the economic and political spheres.

In order to achieve this goal, several elements were put in place in the Maastricht Treaty, most notably the social protocol and the delineation of EU citizenship. These two new additions above and beyond economic and political integration provide an increased role for the European Union in the lives of the citizens of member states, now referred to

[7] Ibid.
[8] Ibid.

as EU citizens.[9] In these ways, the Maastricht Treaty symbolized the extension of the EU into a new realm. Whereas political elements were aimed at strengthening the EU, the social elements were aimed at touching the daily lives of the average EU citizens.

However, in France in particular, where the notion of citizenship and the rights of people are so closely linked with identity, the social aspects of the Maastricht Treaty sent shockwaves through the French political elite and public alike. Just as the French were coming to terms with the requirements of increased economic integration under the Single European Act and contemplating the future relationship between the state and the EU after political integration, their social sovereignty and national identity were called into question as well. The changes that Maastricht would bring about on the European level would cause the French to reexamine their understanding of what it means to be a French citizen and a citizen of the European Union.

Changes Brought About by Maastricht

The impact of the Maastricht Treaty in the social realm was less extensive than in the economic or political realm. However, despite a more restricted scope and limited legislation to be studied, there are two very important additions to the Maastricht Treaty that can provide insight into the process of Europeanization and the future of social integration. The social changes that Maastricht enacted can be best understood by examining the elements of the social protocol as well as analyzing the social implications of the creation of European citizenship.

[9] The European Union, *Treaty on European Union*, Maastricht, July 1992, OJ C 191.

The Protocol on Social Policy is made up of seven articles that address different areas considered to be of social importance in the European Union.[10] Six of the articles elaborate the areas where the social elements of Maastricht are expected to have an impact:

> Promotion of employment…improvement of living and working conditions…adequate social protection…social dialogue…the development of human resources to ensure a high and sustainable level of employment…the integration of persons excluded from the labour market.[11]

The inclusion of these social elements in the Maastricht Treaty makes the EU a much more tangible entity for the average citizen of the EU. Now, the EU takes responsibility for ensuring that certain conditions are met in each of the relevant areas of social policy. However, the inclusion of these conditions also blurs the line of competence and responsibility between the EU and the member states. All of these areas are ones in which the state is generally considered to be responsible for ensuring compliance and the protection and well being of citizens.

Thus, the extension of the Protocol on Social Policy suggests two possibilities about the nation-state in the Maastricht era: 1) the state is no longer adequately upholding its responsibilities to its citizens or 2) the state is no longer effective in these areas because of the increased role of the EU. In essence, the two possibilities are closely linked. Because the EU is introducing a new system of governance and control, as well as changing the relationship between the member states, there are times when the member state may be unable or unaware of how to act on behalf of its citizens. The

[10] Ibid.
[11] Ibid.

policy makers in the EU recognize that a shifting understanding of the international system requires a shift in sovereignty as well.

As such, the incorporation of the Protocol on Social Policy takes away a degree of sovereignty and control from the member states. As Maastricht essentially explains, the EU is more capable of acting in these policy areas.[12] If the EU is now responsible for protecting the French citizens in these areas, what does this mean for the French state? If French citizens are supposed to be above all allegiant to the French state, how can they reconcile this with the presence of the EU in their lives? The EU is not a part of French citizenship or French national identity, yet can still play an important role in the lives of French citizens.

The incorporation of social elements into European legislation requires a delicate balancing act with the interests of the member states. The Maastricht Treaty does provide for recognition of the continued importance of the member states. In pursuit of a social dimension of the EU, "the Community and the Member States shall implement measures which take account of the diverse forms of national practices."[13] For states such as France that worry about becoming "too European", this is a necessary qualification that, to a degree, ensures that they can expect to maintain some sort of control. Another important qualification included in the Maastricht Treaty explains that "the provisions adopted pursuant to this Article [1] shall not prevent any Member State from maintaining or introducing more stringent protective measures compatible with the

[12] Ibid.
[13] Ibid.

Treaty."[14] Thus, within the conditions of the Protocol on Social Policy, the member states have a degree of freedom in how they meet the conditions, so long as they adhere to the minimum guidelines established by the EU.

Furthermore, Maastricht provides for the gradual implementation of the directives that will establish the conditions outlined under the social protocol. Though every year the Commission will report on the progress towards achieving the objectives laid out in Article 1, there are no specific benchmark levels of progress that much be reached.[15] In this way, the Maastricht Treaty is not rushing the implementation of the social elements, but is only requiring that there be some sort of progress. Furthermore, it is not explicitly written in the Treaty how many of the objectives must be achieved, leaving the states to enact the measures they deem to be best or most effective for their specific situations.[16] In essence, the Maastricht Treaty says, "you need to do this, but we won't tell you how", allowing states to retain a degree of autonomy while still working toward common goals. For a state like France that is wary of being told to do things differently, this approach allows for a combination of achieving EU goals while still retaining sovereignty. France can then justify supporting social integration because it can do so on its own terms. Allowing for pursuit of common goals through state specific means will enable each state to come to terms individually with Europeanization, which in turn will contribute more effectively to social integration.

The creation of European citizenship is also an important step in the process of

[14] Ibid.
[15] Ibid.
[16] Ibid.

European social integration. As the idea of European citizenship spans both the political and social realm, it illustrates the interconnectedness of the two spheres and the importance of the relationship between the two for the progress of Europeanization. The Maastricht Treaty outlines four rights afforded to European citizens:

> The right to circulate and reside freely in the Community…the right to vote and to stand as a candidate for European and municipal elections in the State in which he or she resides…the right to protection by diplomatic or consular authorities of a Member State other than the citizen's Member State of origin on the territory of a third country in which the state of origin is not represented…the right to petition the European Parliament and to submit a complaint to the Ombudsman.[17]

The very creation of the notion of EU citizenship and the rights of citizens that should be protected by the EU suggests that the member state is no longer capable of fully protecting its citizens.

According to EU citizenship, citizens of member states are also now considered to be citizens of the European Union.[18] This idea, essentially of dual citizenship, is inherently incompatible with what it means to be French. French national identity and nationalism are based on an alliance to the French state above all else. Accordingly, there is no body, entity or organization greater than that French state, so EU citizenship cannot be considered superior to French citizenship.[19] Thus, EU citizenship would in theory fall into the subnational organization category. However, France does not allow for allegiance to subnational organizations either. How, then, can a French citizen be a European citizen as well?

The creation of EU citizenship suggests the possibility of a hyphenated Franco-

[17] Ibid.
[18] Ibid.
[19] Brubaker, 41-67.

European identity, which according to the tenets of French identity simply cannot hold true. Furthermore, by allowing for the free movement of EU citizens, the lines of identity are further blurred. Now, citizens of other member states can move to France to seek employment, bringing with them their own identity, nationalism and culture.[20] The French perceive this inundation of new cultures into France as a significant threat to their social sovereignty. Not only is their identity being challenged from the supranational EU, it is also being challenged from below, by EU citizens themselves.

Furthermore, the clause on European citizenship is not finite as is. In the last line of the section there is a provision allowing for:

> The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may adopt provisions to strengthen or add to the rights laid down in this Part, which it shall recommend to the Member States for adoption in accordance with their respective requirements.[21]

The French do not even have control over what conditions can be added to the list of benefits of being a European Union citizenship. This uncertainty is especially terrifying to the French. What if citizens, especially from the newer, less "European" member states, decide to move to France and run for election under the conditions of EU citizenship? How can this be reconciled with the French nation and nationalism?

Both the implementation of the Protocol on Social Policy and the creation of European citizenship have important implications for the future of social integration and the understanding of French national identity. They suggest that perhaps in light of the changes in the international system and the increasing political and economic strength of

[20] The European Union, *Treaty on European Union*; Europa, "Summaries of EU Legislation: Treaty of Maastricht on European Union."
[21] The European Union, *Treaty on European Union*.

the European Union, there are certain areas in which the European Union is a more effective actor. The foundations laid by the Maastricht Treaty are responsible for initiating the process of social integration. However, the true impetus for integration must come from the member states themselves, through the domestic realization of European policies. Understanding the way in which legislation surrounding social integration is internalized will provide further insight into the social impact of Europeanization.

A Social Shift? The Domestic Impact of Maastricht

With an established understanding of the social elements and implications of the Maastricht Treaty, the study of the relationship between Europeanization, social integration, and France can be expanded, to analyze the domestic impact that the Maastricht Treaty had in France. This section will approach this impact from three different perspectives, by examining the deliberations of the French Constitutional Council, the reaction on the part of political elites, as well as how the French public came to understand the social aspects of Europeanization.

The social implications of the Maastricht Treaty have a much more direct impact on the lives of French citizens than do political or economic changes, due in large part to the way that French national identity is integrated into both economic and political life. While political and economic life can exist independently from French identity, political and social elements are inextricably bound up in the notion of what it means to French. A change in French identity likely has political and/or economic repercussions as well.

The social implications of Europeanization then, are particularly important to understand because they could extend into the economic and political spheres as well.

One of the most significant domestic impacts of the Maastricht Treaty is the way in which it has caused the French to reconsider how they view and understand themselves in the global community. Thus, an analysis of public opinion becomes extremely relevant in understanding the domestic impact of the Protocol on Social Policy and the establishment of European citizenship. The Protocol on Social Policy and European citizenship do not just impact public opinion, however, so it will be necessary to examine their impact more broadly, looking at changes to the French Constitution as well as the overall reaction to social integration. The broad impact of the social changes then poses an interesting question: was the reaction to Europeanization and the social aspects of Maastricht the same from political elites and the general population? Were both opposed to a new conception of French identity or was one group more open to changes than the other? The answers to these questions, which will come from the analysis of the aforementioned areas, can provide important insights into the driving forces behind Europeanization as well as the roots of opposition to integration.

An analysis of the deliberations of the French Constitutional Council on the Maastricht Treaty, both from April 7-9, 1992 and September 2, 1992, indicates that the social impact of Maastricht was much less extensive than its political impact. During the first meeting of the French Constitutional Council, Maastricht 1, though several changes were deemed necessary to the French Constitution, only two fell into the social realm. First, as addressed in the previous chapter, the issue of European citizenship and the right

of foreigners to vote and run for office in national elections was one that was considered heavily by the Constitutional Council.[22] In addition, the Constitutional Council addressed the right of European citizens as pertains to "the entry and movement of persons."[23] Though several articles in the Maastricht Treaty pertain to this right, only Article 100c(3) raised the concerns of the Constitutional Council. This Article deals with situations in which the European Council can act with relation to upholding the free movement of people.[24] The Constitutional Council however, determined that:

> The abandonment of the unanimity rule as provided by Article 100c(3) could, in spite of Article 100c(4) and (5) generate a situation in which the exercise of national sovereignty was jeopardized…[because]…international agreements entered into by the authorities of the French Republic may not adversely affect the exercise by the State of the powers that are at the core of its national sovereignty.[25]

Article 100c(3) eliminates the ability of the French state to make determinations about who can and cannot enter the French state and consequently, has the potential to compromise their national identity. If non-nationals inundate the French state, there is the potential for French national identity to be diluted. As such, the Maastricht Treaty could not be ratified until the issues raised with the two elements of European citizenship were addressed.

Despite concerns about the threat posed to French national identity and sovereignty by the social elements of the Maastricht Treaty, when the findings of the Constitutional Council were presented, the appropriate changes were made to the French

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[22] French Constitutional Council, "Treaty on European Union: Decision 92-308," Paris, April 1992, 92-308 DC.
[23] Ibid.
[24] Ibid.
[25] Ibid.

Constitution so that the Maastricht Treaty could be ratified.[26] This suggests that the French political elites realized that the benefits that would be gained through the ratification of the Maastricht Treaty, most notably in the economic and political realm, would outweigh the potential threat to their identity.

A second meeting of the Constitutional Council, Maastricht 2, took place on September 2, 1992, after the appropriate changes were made to the French Constitution on June 25, 1992.[27] At this meeting, the changed Constitution was analyzed alongside the Maastricht Treaty to ensure that there were no longer any discrepancies. European citizenship was addressed through the addition of a new section to the French Constitution, Article 88-3, which dealt explicitly with the restriction of the rights of non-nationals to vote and stand for elections in France. This amendment rectified the discrepancy as it pertained to that aspect of European citizenship.[28] Addressing the constitutionality of Article 100c(3) proved to be much more complicated however. The challenges posed to Article 100c(3) likely stem from the xenophobia inherent in French culture. The allowance of free entry and movement of people throughout the European Union would be one of a xenophobic Frenchman's worst fears. Now non-nationals throughout the EU can enter France with much more limited restrictions.

When the revised Constitution was brought to the attention of the Constitutional Council, arguments were raised stating that the appropriate changes had not been made to

[26] French Constitutional Council, "Treaty on European Union: Decision 92-312," Paris, September 1992, 92-312 DC; The French National Assembly, "Title XV: On the European Communities and the European Union," *Constitution of October 4, 1958*, http://www.assemblee-nationale.fr/english/8ab.asp.
[27] French Constitutional Council, "Treaty on European Union: Decision 92-312."
[28] Ibid.

the Constitution, meaning that Maastricht could not be ratified.[29] However, the Constitutional Council ruled that Article 88-2 of the French Constitution:

> Remove[s] constitutional barriers identified by the Constitutional Council in its decision of 9 April 1992 in the particular field to which it relates; the constituent power is sovereign, save only for the exceptions indicated above; it has power to repeal, amend, and amplify constitutional provisions in such manner as it sees fit; the argument by the authors of the referral that the constitution and the Treaty are incompatible is thus devoid of substance.[30]

This explanation by the Constitutional Council suggests that though Article 100c(3) of the Maastricht Treaty may have been unconstitutional when it was created, the French Constitution has been adjusted so that there is no longer a conflict. Furthermore, there is an indication that the French state is giving up sovereignty in certain policy areas, but overall, is retaining its sovereignty and its power to protect the French citizens and the French national identity. Given that the French are so jealous of their national identity and so wary of threats to it, this willingness to accept a lesser degree of sovereignty that may open French identity to the possibility of change is quite surprising. It suggests that the French perceive a benefit to Europeanization that outweighs the loss of sovereignty and control over national identity that accompany it.

This cautious optimism about Europeanization is echoed in the general reaction to the social aspects of integration as expressed through the Maastricht Treaty. This is not to suggest, however, that social integration was welcomed with open arms, as it certainly was not. The social aspects of Europeanization elicited both support and skepticism from the French political elite, which is to be expected. Because characteristics of

[29] Ibid.
[30] Ibid.

Europeanization run counter to many of the elements on which French identity is based, in the wake of the Maastricht Treaty, "national traditions…reasserted themselves strongly in the form of strategies for resisting change, and in the details of implementation."[31] These national traditions proved to be quite powerful and resilient to Europeanization. Though the Maastricht Treaty may have begun to open French identity to the possibility of change, "contemporary France…remains a mixture of fascinating tendencies and contradictions."[32]

It is these contradictions that have for so long characterized French exceptionalism that help explain the French reaction to Europeanization. France's hot and cold approach to Europeanization is just another in a long line of French peculiarities and anomalies. Thus, social integration can be successful in France, so long as it is reconciled with French identity. This is exactly what François Mitterrand, President of the French Republic at the time of the Maastricht Treaty hoped to do, as he attempted to "construct a new vision of France and Europe which conjoined the future of the French nation with that of European integration."[33] Europeanization could be seen as a way for the French to protect themselves and their identity against the greater threat of globalization. By opening themselves to Europe, the French could put an extra layer of protection between themselves and the rest of the world.

One of the most significant impacts of the Maastricht Treaty, not only in the

[31] Alistair Cole and Helen Drake, "The Europeanization of the French polity: continuity, change and adaptation," *Journal of European Policy* 7, no. 1 (March 2000): 30.
[32] Ronald Tiersky, *France in the New Europe: Changing Yet Steadfast* (Belmont, CA: Wadworths Co., 1994), 25.
[33] Vivien Schmidt, "Trapped by Their Ideas: French elites' discourses of European integration and globalization," *Journal of European Public Policy* 14, no. 7 (October 2007), 1000.

social realm, was that it increased the visibility of the European Union. The policies of the Maastricht Treaty that provided for greater political effectiveness also enabled the citizens of member states to understand the ways in which the European Union could be relevant in their daily lives. However, an increased awareness of the role of the EU also draws attention to what the EU is unable to do. Though the EU may have a new role on the lives of citizens, the French state:

> Still performs three important functions…first, it is the advocate of national interests within European and international institutions; second, it implements policies designed to improve the environment of firms to promote the creation of added value on French territory; and third, it is the ultimate protector national capital.[34]

Because of the links between French national identity and the economic and political spheres, it is important not to discount the role that the French state still plays in political and economic activity. The Maastricht Treaty has ushered in a new era of partnership between the nation-state and the European Union. The two do not need to be mutually exclusive and in fact, can be complementary. As Mitterrand explained, "France is our fatherland, Europe is our future."[35] Acknowledging the opportunities afforded to France by the European Union does not discount the value of French national identity or culture, but rather, suggests another level of protection and perpetuation for Frenchness.

If French political elites recognize the way in which Europeanization can be leveraged for the benefit of, rather than at the cost of, French national identity, then the push for further integration will be more successful. Over the past 200 years, French

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[34] Kassim, 176.
[35] Martin Marcussen et al., "Constructing Europe? The evolution of French, British and German nation state identities," *Journal of European Public Policy* 6, no. 4 (Special Issue 1999): 621.

identity has been far from constant. It has been changed and molded throughout time to reflect the interests of political elites.[36] Europeanization provides yet another opportunity for such a reformation of French identity. The evolution of French identity over time has not changed the inherent meaning behind Frenchness, but rather, has justified the perpetuation of French identity in light of the current social, political, and economic context. Today is no different; "political elites can legitimately promote any European idea which resonates with French exceptionalism and does not violate the particular concept of Republicanism, including a Europeanization of French exceptionalism."[37] As the European Union develops its own social dimension, advocating certain social values and norms, it will be much easier for political elites to create a discourse that integrates Europeanization with the traditions of the French nation and nationalism.

The discourse of political elites is thus very important for predicting the future of Europeanization, especially when coupled with the uncertainty surrounding the perception of social integration as exhibited by the French. The inconsistent survey results indicate that the French are unsure about the impact that Europeanization is having and will have on their identity.[38] The uncertainty exhibited by the French public is a result of two contributing factors: first, social integration was an incredibly new concept at the time of the Maastricht Treaty and second, there is no consistent discourse expressed by political elites. The French public does not have a standard on which they

[36] Ibid.
[37] Ibid.
[38] Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 35, June 1991; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 36, December 1991; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 37, June 1992; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 38, December 1992.

can base their opinions and understanding of what Europeanization means for them in the future.

However, the fact that the French public has not taken a position staunchly in opposition to the social aspects of Europeanization suggests once again that there is a possibility of reconciling French national identity with Europeanization. In fact, in 1992, more than half of the French population perceived themselves as both French and European at the same time.[39] Interestingly, however, between 1991 and 1992, the percentage of the population who thought of themselves as often or sometimes European fell from 68% to 52% while the percent of people who said that they never feel European increased from 32% to 47%.[40] This is likely a reflection of the conflicting discourse that emerged as a result of the Maastricht Treaty referendum. As mentioned in the previous chapter, there was no consistent left/right split over Maastricht and the population divided almost evenly in favor of and in opposition to the Maastricht Treaty.[41]

Regardless of the uncertainty about what exactly the social aspects of Europeanization mean for them, more than half of the French population between 1991 and 1993 believed that the social dimension of the single market was beneficial. With the exception of a single poll in 1991, the percentage was upwards of 60% for the entire period.[42] Furthermore, in 1992, 66% of the French people believed that in the future, national and European identity would coexist. This portion of the population is 4%

[39] Commission of the European Communities, 37; Commission of the European Communities, 38.
[40] Commission of the European Communities, 35; Commission of the European Communities, 36; Commission of the European Communities, 37; Commission of the European Communities, 38.
[41] Tiersky, 170-171; Guyomarch, 80.
[42] Commission of the European Communities, 35; Commission of the European Communities, 36; Commission of the European Communities, 37; Commission of the European Communities, 38.

higher than the average throughout the other 12 EU member states, suggesting that perhaps French national identity and European identity are not as incompatible in actuality as they are in theory.[43]

The overall domestic reaction in France to Europeanization suggests that social integration and French national identity are not inherently incompatible. In fact, there seems to be an optimistic curiosity about what Europeanization will mean for the French nation, national identity and nationals. This belief has stemmed from the failure of the French political elites to espouse a single discourse pertaining to the social aspects of Europeanization. Thus, the general population has been given a rare opportunity in France, where so much is directed by the state, to form an opinion independent of the direction of political elites. Despite this freedom, the general population, much like the political elite, has been unable to form a consistent opinion of Europeanization.

This trend of inconsistency is reflected throughout the study of the domestic impact of social integration. Due in large part to the limited knowledge of what social integration means both domestically and for the European Union, there is a hesitancy to accept it with open arms. However, it is promising that in the country that is considered to be most jealous of its social sovereignty, there has been a degree of openness and acceptance of the possibility of social integration, even if to a limited extent.

The true test of the possibility of integrating French social sovereignty with the dominant conception of Europeanization will be seeing whether or not the social optimism characteristic of the post-Maastricht period will continue into the future.

[43] Commission of the European Communities, 37; Commission of the European Communities, 38.

Presumably, as the European Union marches towards further economic and political integration, social integration will follow. However, if the elites in France fail to develop a coherent discourse surrounding social integration, the uncertainty of the general population could effectively stall the progression of the social aspects of Europeanization. As such, studying the progress of the social aspects of Europeanization over time will provide crucial evidence about the potential of further social integration.

Towards a New Social Understanding: The EU Constitution and Lisbon

The European Constitution: A Pause in Europeanization

Throughout the 1990s, the European Union and its member states continued the slow march of social integration. The Treaties of Amsterdam and Nice built upon the foundations that the Maastricht Treaty had established in the social realm.[44] After the ratification of the Treaty of Nice, the European member states decided that the complex legislature of the EU needed to be simplified and that there should be a push for greater integration. In October 2004, the Treaty Establishing a Constitution for Europe (EU Constitution) was signed, as the embodiment of the desire for closer political and social integration specifically.[45]

The Preamble of the Treaty Establishing a Constitution for Europe "invokes the desire of the peoples of Europe to transcend their ancient divisions in order to forge a

[44] Europa, "Treaties and Laws," http://europa.eu/abc/treaties/index_en.htm.
[45] The European Union, *Treaty of Lisbon*, Lisbon, December 2007, C306; Europa, "The Treaty at a Glance."

common destiny, while remaining proud of their national identities and history."[46] As a Constitution, rather than simply a treaty, the document would have a further, deeper reach, more directly touching the lives of French citizens, and those of citizens in other member states as well. The EU Constitution provided for the further extension of social integration specifically, through the addition and amendment of several areas of the Maastricht, Amsterdam and Nice Treaties including: fundamental rights, EU citizenship and the Charter of Fundamental Rights of the Union.[47]

Upon examination of the EU Constitution, the French Parliament determined that the combination of social, political and economic changes proposed by it were too extensive and posed a threat to French sovereignty. The failed ratification vote in France, then, was not motivated simply by the political factors stated in the previous chapter, but had social motivations as well. In fact, the failure of the EU Constitution was driven by the French fear of the 'other' and what the implications would be for French identity, if it were to become more open to Europeanization.[48] The ratification of the EU Constitution reintroduced the debates surrounding Europeanization that had been prevalent during the Maastricht referendum, which became critical contributions to the possibility of ratifying the EU Constitution:

> One shouldn't undermine the contribution to the overall total of the No vote by the Eurosceptic xenophobic withdrawal embodied by right-wing conservative MPF or the extreme-right…undoubtedly the national sovereignty camp regained momentum during the whole time of the campaign and eventually took a significant part in delivering the fatal sword thrust to the European constitutional

[46] Europa, "Uniting Europe Step By Step – The Treaties: A Constitution for Europe," http://europa.eu/scadplus/constitution/introduction_en.htm.
[47] Europa, "Uniting Europe Step By Step – The Treaties: A Constitution for Europe."
[48] Gilles Ivaldi, "Beyond France's 2005 referendum on the European Constitutional Treaty," *West European Politics* 29, no. 1 (January 2006): 47-69.

Treaty.[49]

Though in the post-Maastricht period, the French had appeared able to reconcile their views of national identity with the prospects of Europeanization, the debates surrounding the EU Constitution suggest otherwise. Nationalism and national sovereignty played a key role in motivating the French to voice their discontent with the progress and prospects of Europeanization.[50]

The opposition to the EU Constitution was "a retrospective vote on the process of European integration itself."[51] Though the French had been cautiously optimistic about the future of social integration when the Maastricht Treaty was ratified, the EU Constitution gave them an opportunity to react to the experience of integration that they had had over the past ten years. Though political issues were important in motivating the French rejection of the EU Constitution, "the most significant element in the rejection of the European constitution was the retrospective performance evaluation vote on the EU model of social and economic governance."[52] Thus, the French *non* was a reaction to the idea that the Europe the French had been promised in 1992, that aligned with their views of what Europe should be, did not materialize to the extent that they had hoped that it would.

This *non*, and the no from the Netherlands as well, sent shockwaves through the EU and the member states. The grand project that was supposed to provide for the closer integration of the member states was now stopped in its tracks. What would this mean

[49] Ibid.,58.
[50] Ibid., 47-69.
[51] Ibid., 48.
[52] Ibid., 10-11.

for the future of Europeanization? The EU and its member states took the failed ratification of the EU Constitution as an opportunity to reflect on this question and reevaluate the direction that the EU should take in the future. After the period of reflection, the ambitions of the EU and integration were scaled back and presented in the form of the Treaty of Lisbon. Though the Treaty of Lisbon contained many of the same elements as the EU Constitution, especially in the social realm, the hope was that the new approach would allow for them to be realized, despite opposition.[53]

A Social Understanding of the Treaty of Lisbon

While the Treaty of Lisbon, signed on December 13, 2007, is essentially a fallback plan of Europeanization and concession to the opponents of European integration, it can still be seen as an indicator of the progression of the social aspects of Europeanization. In essence, the Treaty of Lisbon was a toned down, scaled back version of the EU Constitution, that did not have as broad an impact, but still attempted to achieve the goal of further, closer social integration of the member states.[54]

Of the major objectives outlined for the Treaty of Lisbon, one is particularly relevant to a study of social sovereignty. In the social realm, the Treaty of Lisbon aimed at creating:

> A Europe of rights and values, freedom, solidarity and security, promoting the Union's values, introducing the Charter of Fundamental Rights into European primary law, providing for new solidarity mechanisms and ensuring better protection of European citizens.[55]

[53] Europa, "The Treaty at a Glance," Treaty of Lisbon, http://europa.eu/lisbon_treaty/glance/index_en.htm.
[54] Ibid.
[55] Ibid.

The Treaty of Lisbon was architected to allow for a closer integration of the citizens of the member states and to increase their allegiance to the EU through the emphasis on values and rights. In this way, the Treaty of Lisbon was the most extensive document of social integration to date, enacting more changes than Maastricht.

The emphasis of the Treaty of Lisbon was on both reinforcing the democratic values that form the foundation of the European Union and expanding the rights and privileges of EU citizens through the enforcement the Charter of Fundamental Rights.[56] The objective of the European Union becomes promoting the core values of the EU: "human dignity, freedom, democracy, equality, the rule of law and the respect for human rights…common to all Member States."[57] Whereas the Maastricht Treaty merely mentioned the desire to create a social dimension of the EU, the Treaty of Lisbon enables the social dimension to grow and develop.

However, the Treaty of Lisbon also puts in place certain checks on the extension of the social dimension of the EU to prevent sacrificing the integrity of the member states. Throughout the text of the Treaty, as well as the plain language explanatory documents for EU citizens, there is an emphasis on creating a balance between the EU and the member states in the social sphere.[58] Within the Charter of Fundamental Rights, the delicacy of the relationship between the EU and member states is elaborated:

> The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the

[56] Ibid.
[57] Europa, "A Europe of rights and values," Treaty of Lisbon, http://europa.eu/lisbon_treaty/glance/rights_values/index_en.htm.
[58] The European Union, *Treaty of Lisbon*.

> organization of their public authorities at national, regional, and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, services, goods and capital, and the freedom of establishment.[59]

Contained within this passage is recognition of the value of social integration for the progress of Europeanization, but simultaneously, an acknowledgement of the continued relevance of the member state. Europeanization cannot do away with the nation-state in one fell swoop. Rather, it is necessary to gradually integrate the nation, the state and the European Union to ensure that the process of Europeanization is relatively smooth.

The Charter of Fundamental Rights is one of the most significant elements of the Treaty of Lisbon, as it is critical to the transition process between the nation-state and the supranational EU. The Charter is essentially a declaration of rights for the EU citizens. Through its six titles: dignity, freedom, equality, solidarity, citizenship, and justice, the Charter elaborates the rights and responsibilities of the EU citizen, making them accountable to the EU, but also forcing the EU to look after them. The Charter gives the EU both power and relevance in the social realm. When a member state is unable or unwilling to act on behalf of its citizens, the EU can intervene under these guidelines.[60] The Charter of Fundamental Rights does not supersede the various declarations of rights that exist in the different member states or through international agreements, but is meant to be a corollary to those forms of protection.

The social changes enacted by the Treaty of Lisbon are aimed at increasing the relevance that the EU has in the daily lives of its citizens. These citizens are no longer

[59] European Union, *Charter of Fundamental Rights of the European Union*, December 2007, C303; Europa, "A Europe of rights and values."
[60] European Union, *Charter of Fundamental Rights of the European Union.*

just citizens on their state, but are citizens of the European community as well. As such, they owe a degree of allegiance to Europe, but Europe has a responsibility to ensure their protection and well being as well. The more extensive social role of the EU established by the Treaty of Lisbon should be a continuation of the process of social Europeanization that began with the Maastricht Treaty and continued throughout the 1990s. However, as shown in the last section, the French reaction to Europeanization is not always what one would expect. Thus, in order to develop a more thorough analysis of the progression of Europeanization, it is necessary to examine the domestic impact and reaction to the Treaty of Lisbon in France.

The Domestic Impact of Lisbon

Though the Treaty of Lisbon addressed more areas of social integration than the Maastricht Treaty, because the Treaty was so recently put into action, less than six months ago, the full extent of the domestic impact has yet to be seen. However, an examination of the deliberations of the French Constitutional Council, as well as analysis of elite discourse surrounding social integration and public opinion, can lend insight into preliminary conclusions about the further impact of Europeanization on social sovereignty. Despite the limited amount of evidence, what is available suggests that the foundations of social integration established by the Maastricht Treaty were built upon by the Treaty of Lisbon to further the social aspects of Europeanization.

The deliberations of the French Constitutional Council addressing the constitutionality of the Treaty of Lisbon took place on December 20, 2007, not long after

the Treaty of Lisbon had been signed. Perhaps speaking to an increased acceptance of the social aspects of Europeanization, the Constitutional Council found no inconsistencies between the Treaty of Lisbon and the French Constitution.[61] However, this also alludes to the limited scope of the Treaty of Lisbon. Throughout the Treaty, many clauses were included that emphasized that the rights provided for the EU in the Treaty are meant to complement, rather than replace, those provided for by the member states. The Constitutional Council noted this, stating in their analysis of the Charter on Fundamental Rights that it "does not require any revision of the Constitution, either as regards the contents of the Articles thereof or the effects of said Charter on the exercising of National Sovereignty."[62] As a result of the discontent surrounding the EU Constitution, the authors of the Treaty of Lisbon had to be cautious to balance their ambitions with the skepticism of the member states, especially France.

Though social integration had been a topic of discussion for nearly fifteen years by the time the Treaty of Lisbon was put up for ratification, there was still a degree of uncertainty surrounding it. The partitioning of political or economic powers is much more clear-cut than is the sharing and splitting of powers in the social realm. Though social sovereignty is defined as national identity, national identity is still a nebulous notion, rooted in many feelings and emotions, rather than represented through concrete legislation or institutions. Because national identity means many different things to many different countries, European legislation, such as the Treaty of Lisbon, must be

[61] French Constitutional Council, "Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community: Decision 2007-560," Paris, December 2007, 2007-560 DC.
[62] French Constitutional Council, "Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community: Decision 2007-560."

acceptable to those who have the strictest understanding of their national identity. Thus, the Treaty of Lisbon attempted to balance the need for the progression of Europeanization with the assurance that member states would continue to retain a degree of sovereignty.

Many of the French political elites shared the same awareness of the importance of this balance, recognizing that the future of France was slowly becoming intertwined with that of Europe. Consequently, the elite discourse that was absent during the Maastricht and post-Maastricht eras began to evolve around the Treaty of Lisbon. Even leaders, such as Vincent Peillon, who had voted no to the EU Constitution, supported the ratification of the Treaty of Lisbon, acknowledging that it would provide benefits to France in the future.[63] Much as the previous chapter illustrated with regard to support for political integration, the French were willing to support social integration, so long as they saw it as advancing their own goals for the future.

Bernard Kouchner, the French Minister of Foreign and European Affairs, explained that the Treaty of Lisbon, "deserves to be appreciated for its value: as an important moment in the construction of the European ideal."[64] Once again, there is an emphasis on the importance of the Treaty of Lisbon in leading to social cohesion among the EU citizens. Nicolas Sarkozy, President of the French Republic, echoed this sentiment when he spoke after the passage of the bill authorizing the ratification of the Treaty:

France's future and Europe's destiny are linked…disunited, Europe's peoples

[63] Honor Mahony, "France Ratifies EU Treaty," euobserver.com, http://euobserver.com/9/25619.
[64] Ibid.

> would be incapable of taking up the challenges of the twenty-first century…united, they constitute a tremendous political, economic, cultural, and moral power which will have its say in world affairs.[65]

In this statement, Sarkozy alludes to an important element of social integration: its ability to enable further political and economic integration. As the citizens of member states see themselves increasingly as citizens of Europe, they come to see how the EU and integration can benefit them.

For this reason, Europeanization must progress cautiously. If citizens believe that Europeanization is beneficial, then they will be likely to support it. However, if they feel that they are being threatened by social integration then they will likely resist changes that it hopes to bring about. Sarkozy cautions EU leaders that:

> Europe must ensure that it is not perceive as a threat to identities, but as form of protection, as a way of keeping them alive, as a multiplier of power and influence, as much at the level of thought and culture as at the material level and the political level.[66]

Europeanization has immense implications for national identity throughout the European Union. The extent to which it is carried out makes the difference between a peaceful coexistence and dramatic replacement of the traditional structures and systems of identity formation. According to Sarkozy, "the peoples of Europe are undergoing a deep identity crisis" as a result of Europeanization and the possibilities of social integration.[67] Legislation and political elites can espouse or denounce the merits of social integration, but the true force behind its progression is the general population, immense in number

[65] Nicolas Sarkozy, "Speech after the passing of the bill authorizing the ratification of the Lisbon Treaty," Paris, February 2008, http://ambafrance-in.org/france_inde/spip.php?article4282.
[66] European Parliament, "Sarkozy to MEPs in Strasbourg: 'Europe must be alive, a grand ideal, and a grand promise,'" November 2007, http://www.europarl.europa.eu/sides/getDoc.do?language=EN&type=IM-PRESS&reference=20071109IPR12787.
[67] Ibid.

and vocal in their opinion.

The results of public opinion polls taken from 2007 through the present provide an interesting complement to the study of the discourse of political elites. Through these opinion polls, it is possible to analyze how the general population understands social integration and Europeanization and whether this understanding meshes with the elite discourse that is being espoused. In a Eurobarometer poll taken in 2007, 57% of the French polled responded that they were either very attached or fairly attached to the EU, as compared to an EU average of 49%, suggesting that the social integration over the past fifteen years had had a positive effect on the relationship between the French citizen and the European Union.[68] This trend is further exemplified by a poll taken in 2009 in which 60% of French responded that when it comes to their identity, they believe that they are at the same time French and European. Only 8% of the respondents said they did not feel French at all, suggesting that the creation of a European identity has not had the extreme negative impact that was once feared.[69] Europeanization, in fact, has helped to protect French identity to an extent. While in 2008 53% of French believed that globalization was a threat to French culture, 40% of French believed that the EU helped protect them from the negative aspects of globalization.[70] As Sarkozy suggested in his speech, it is possible for Europeanization to be viewed as having a positive impact on the preservation of national identity, rather than threatening its existence.

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[68] Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 68, May 2007.
[69] Commission of the European Communities, *Eurobarometer Flash*: *Quelle Europe? Les Français et la construction européenne*, May 2009.
[70] Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 69, November 2008; Commission of the European Communities, *Eurobarometer: Public Opinion in the European Community,* 70, December 2008.

Perhaps the French are able to view Europeanization in a positive light because after a decade of discussion of social integration they are able to understand, at least to an extent, what Europeanization is and what it means for them. Interestingly, when asked what the EU means to them, out of a list of choices from which they could pick more than one, 45% of French said the EU means the rights of man, 41% said peace and 34% said democracy.[71] These conceptions are all highly compatible with elements of French identity, making it easier for the French to reconcile Europeanization with their own traditions. Furthermore, in 2009, the French had also developed an understanding of what European identity is. When asked which items, chosen from a list, make up European identity, 57% said democracy and the respect of human rights, 56% said geography, 55% responded common market, 38% responded common history and 34% common culture.[72] A concrete attachment of certain familiar ideas to the nebulous notion of European identity enables the French to see European identity as a correlation of their own national identity, rather than a competitor.

An analysis of the reaction to the Treaty of Lisbon, both by political elites and the general population in France suggests that increasingly, the social aspects of Europeanization are not perceived as a threat to national identity or social sovereignty. However, this perception is due in large part to the way in which Europeanization has progressed since the Maastricht Treaty. Europeanization in the social realm has been much more gradual than in the economic or political realm. However, in order for social integration to continue, this approach is absolutely necessary. Because social sovereignty

[71] Commission of the European Communities, *Eurobarometer Flash: Quelle Europe?*.
[72] Ibid.

is much more personal to the citizens of member states than their political or economic systems, they are much more skeptical of the impact of Europeanization. Despite this wariness, social integration due to Europeanization **is** possible, so long as Europeanization is portrayed as a protector of, rather than a threat to, national identity and social sovereignty. So long as national and European identity are understood to be complementary, rather than in conflict, Europeanization of the social sphere will be possible. The progress may be slow, but in the long run, progress is progress, no matter what the speed.

Conclusion

A study of the period of time between the passage of the Maastricht Treaty in 1992 and the implementation of the Treaty of Lisbon in 2010 enables important conclusions to be drawn about the impact that Europeanization is having on social sovereignty in France and throughout the European Union. Though at first glance French national identity, the epitome of social sovereignty, appears incompatible with the social integration proposed by Europeanization, in actuality, it seems possible to reconcile the two. In fact, over the past twenty years, through several treaties (both successes and failures), the French elites and general population have increasingly been able to see Europeanization as a way to protect their national identity.

Though the French are jealous of their national identity and worried about the impact that Europeanization will have, they are even more fearful of the forces of globalization. Europeanization and the EU add an additional barrier between France and

the globalizing, providing a degree of security and reassurance against the threats of world. The French worry that the notions that they hold dear: democracy, culture, language and the state, the elements of nationalism, will be compromised in the new international system. In a way, Europeanization is the lesser of two evils from which France can choose. As the social aspects of the European Union are explicitly defined, the French are able to see connections between the values of the EU and those that they treasure in their own national identity. Though the future with Europeanization may be uncertain, at least the French know that with the Maastricht Treaty and the Treaty of Lisbon there is legislation that will protect democracy, human rights, equality and freedom.

This is not to say, however, that the French are unequivocally willing to accept the social aspects of Europeanization. Just as in the political realm, there is a unique dichotomy between an acceptance and fear of Europeanization. This contradiction, though bizarre, is French in the deepest sense of the word. Throughout the years, French identity has been characterized by an exceptionalism of inconsistencies and contradictions, incomprehensible to those who are not French. The French are open to many ideas, so long as they accord with the French vision of what is acceptable in that realm. In the social realm, then, the French can accept the aspects of Europeanization that are compatible with French identity. It is when the two are opposed that conflicts arise.

The way in which Europeanization has progressed over the past two decades, however, has been orchestrated (to an extent) so that these conflicts do not exist. The

careful balance that must be maintained between the nation-state and the EU has caused Europeanization in the social sphere to progress slowly. However, as public opinion data shows, this strategy has been effective, especially among the younger generation. While the older generations remain somewhat Euroskeptic, those poised to take power in France are increasingly willing to see Europeanization as an opportunity for, rather than a challenge to, French national identity.

While it is unlikely that the French will ever be the most vocal supporters of Europeanization in any realm, especially socially, what this chapter illustrates is that the French also will not necessarily be Europeanization's greatest opponents. If European leaders continue to be cautious and respectful of national sovereignty and national political leaders and the general population remain open to the possibilities of Europeanization, then social integration can progress. Social integration will not be quick or easy, but no process that involves bringing together 500 million citizens across 27 countries would be. But just because it is not easy, does not mean it is not possible. If anything can be learned from the experience that France has had with the social aspects of Europeanization over the past twenty years, it is precisely that it is never wise to say never. If the exceptional French national identity and social sovereignty can be compatible with Europeanization and European identity, then the future of social integration amongst the 27 member states is promising, even if it takes time.

Chapter 6: Conclusion

This study aimed at answering several questions pertaining to the relationship between Europeanization and the nation-states that make up the European Union. First, and most broadly, what is the domestic impact of Europeanization? Second, and a bit more focused, how does Europeanization impact national sovereignty? Third, and most specifically, is the impact of Europeanization consistent across the different spheres of national sovereignty: economic, political, and social? Answering these questions in terms of all the different countries in the European Union would have been a substantial task, and one that could not have been adequately completed given the limited amount of time devoted to this project. As such, in order to answer these important questions about the relationship between Europeanization and national sovereignty, a single country was chosen for an in-depth case study: France.

Because of France's unique national identity, known as French exceptionalism, as well as the sustained internal debate between pro-Europeans and Euroskeptics, France is an ideal case study. If Europeanization can impact one of the most reluctant member states, it is likely to have an effect throughout the rest of the European Union as well. Through the single case study, conclusions about the larger process of Europeanization throughout the remaining 26 EU member states can be drawn. This chapter will be devoted to elaborating those conclusions. First, it will provide a brief synopsis of France's experience with Europeanization. Then, there will be an examination and explanation of the process of Europeanization, based on the conclusions of chapters 4 and 5. Lastly, answers to the overarching questions driving this study will be presented to

understand what the implications of France's case study are for the European Union as a whole.

Europeanization and France

This project approached the analysis of the impact of Europeanization on French national sovereignty from two different directions, studying political sovereignty and social sovereignty. Integration in both the political and social spheres has only become relevant in the recent history of the European Union, developing as a result of the economic integration that has existed since the inception of the European Union. As such, these two cases provide important insights into how Europeanization progresses over time through various stages.

Political integration in the European Union was first extensively addressed by the Maastricht Treaty in 1992, though it did exist to a degree previously. The Maastricht Treaty enacted a broad range of changes aimed at strengthening the institutions within the EU to reassert its role in international politics. Although the French were extremely divided over the Maastricht Treaty, with the ratification referendum passing by a narrow margin, ultimately the French did support Maastricht because they saw that the goals of the EU aligned with their vision of the shape that the European Union should take. As a result of Maastricht, the EU was incorporated into the French Constitution and new political positions were created to address European affairs, indicating that the EU was recognized as increasingly important. Maastricht laid important foundations, both in the EU and the nation-states that would enable the process of Europeanization to continue in

the future.

Europeanization progressed relatively smoothly throughout the 1990s, with the Treaties of Amsterdam and Nice both being ratified, enabling further integration of the member states. However, the success of political integration was met with a roadblock in the new millennium: the EU Constitution. The EU Constitution was aimed at providing for even closer integration among the member states while also increasing the authority of the EU and its political powers. In France, as well as the Netherlands, the EU Constitution was met with staunch opposition, as the debates surrounding the Maastricht Treaty resurfaced. The French did not believe that the EU that would result from the EU Constitution aligned with their vision of it and consequently, they did not ratify the Constitution.

However, the failure of the EU Constitution did not put an end to the progress of Europeanization. Rather, it led to the creation of the Treaty of Lisbon, which reincorporated many of the elements of the EU Constitution to continue the process of political integration. While it is still very early to analyze the impact of the Treaty of Lisbon, it is clear that the move towards political integration is continuing through the increased responsibilities afforded to the EU by the member states. However, throughout this entire period of political integration, from the 1990s through the present, the strengthening of the EU has been balanced with the continued relevance and importance of the nation-state. The French have not been opposed to Europeanization and its impact in the political realm, but they have not been the most vocal supporters of it either. Regardless, with each successive treaty that is ratified, the French become slightly more

willing to alter their perception of the EU, thus allowing Europeanization to progress while still upholding their view of what the EU should be.

It is very interesting to compare the French experience with Europeanization in the political and social realms. Social integration has always lagged somewhat behind economic and political integration, but as the political and economic ties within the member states are strengthened, Europeanization has progressed into the social realm as well. The Maastricht Treaty was really the first introduction of the notion of social integration and as such, it did not extensively address this realm. The Maastricht Treaty encouraged the creation of a social dimension to the EU, but did not explain how this would be done. However, coupled with the increased awareness of the EU politically, the Maastricht Treaty got the French and other European citizens thinking about the possibility of social integration and what it would mean for them. Most importantly, the treaty created the notion of European citizenship, which laid a foundation for the extension of the social dimension of the EU in future legislation.

Social integration progressed somewhat slower than political integration throughout the post-Maastricht period. However, with the EU Constitution, European leaders tried to take a big step toward social integration. This creation of a constitution, rather than a treaty, had immense social implications, though supporters claimed that it was no more significant than a treaty. However, as a Constitution, the document highlighted the authority of the EU, as opposed to the nation-state, which brought out the Euroskepticism in the French. The French were willing to support social integration, so long as they did not believe that they had to forsake their national social sovereignty

entirely. Consequently, they did not ratify the EU Constitution, leading to the creation of the more moderate Treaty of Lisbon that balanced the progress of the EU with the reluctance of the French. The Treaty of Lisbon did not overstep the bounds of acceptable integration as the EU Constitution had but rather, provided an extra level of protection for the rights that the French people held dear. By expanding on the rights that the French already considered to be important, social integration would be justified within the confines of French national identity. Integration in the social realm, though perhaps the trickiest to achieve especially in France, also has the most potential. As the French have slowly begun to realize, the social aspects of Europeanization can complement social sovereignty, rather than threaten it. Furthermore, social integration is integration on the most basic level, upon which other forms of integration such as political and economic can be built, enabling the creation of an even stronger foundation for the European Union.

Understanding Europeanization

If there is one conclusion to be drawn from the study of the impact of Europeanization on France it is this: Europeanization is an incredibly complex and powerful process. Europeanization can be better understood by examining it through two different lenses, as an example of the spillover effect and as a top-down process. Understanding the mechanics behind the process of Europeanization enables a more complete analysis of how it impacts domestic regimes and the different spheres of national sovereignty.

The process of Europeanization epitomizes the spillover effect; it becomes an increasingly more powerful force as it moves between the different realms of national sovereignty. European integration first began in the economic realm. Though this study did not touch extensively on economic integration, it is extremely important not to discount its impact on the shape that the EU has taken today. The current structure of the EU developed out of the economic integration of the six members of the European Coal and Steel Community. Over time, the European Coal and Steel Community evolved into the European Economic Community, the European Community and finally into the European Union. The founders of the ECSC discovered an area where the original member states had shared interests and were able to use that as a foundation for the immense political and social project that exists today.

As the states became more closely economically integrated, it was necessary for the EU to expand into the political realm. The political extension of the EU enabled the regulation of the economic cooperation of the member states. Whereas economic integration really just brought the member states together, political integration brought the leaders of those states together through the various EU institutions. As such, political integration was more tangible than the abstract elements of economic integration that may not have touched the lives of political leaders or the citizens of the member states. With the expansion of political integration to complement economic integration, the EU has finally expanded into the social realm.

The political and economic responsibilities given to the EU by the member states have become so important that the EU citizens can no longer avoid the EU. In fact, most,

if not all, EU citizens interact with the EU on a daily basis as they pay in Euros. European citizens now participate in EU elections and carry EU passports, rather than a unique member state passport. The social integration has finally brought European integration from cooperation between the states to cooperation within the states, as seen through the eyes of their citizens. The EU is no longer just a distant economic and political regulator, but is now beginning to play a distinct role in the lives of many citizens throughout the member states.

The progression of Europeanization throughout the different realms of sovereignty also reflects the way in which Europeanization is a top down process. Unlike other social, political or economic movements, Europeanization is essentially imposed upon states and their citizens from the top down, rather than being generated from the bottom. This process can be seen in the way that the EU developed, beginning economically, progressing politically and succeeding socially in the present era. Economic integration occurred on a supranational level, political integration brought together political leaders throughout the nations and social integration unified the citizens of the member states.

As Europeanization touches each of the different levels (supranational, national and subnational), the actors on that level reinforce the process of Europeanization. One of the critical factors to progression of Europeanization is its success as a feedback mechanism. With each new extension of European integration, the previous areas of integration are strengthened and further supported. When Europeanization touches each level, it creates a new set of actors who have responsibilities to the EU in addition to their

member states. As states, leaders, and citizens are impacted by the process of Europeanization they are given the freedom to impact the EU. Once bonds are formed across states, and interdependence begins, it becomes incredibly difficult for the states, leaders, and citizens to remove themselves from their new integrated relationships. This is what enables Europeanization to progress.

Because of the way in which Europeanization has progressed, now becoming especially relevant in the social realm and the lives of the citizens, these subnational actors will drive the future of the EU. No longer will the decisions of the political elites suffice in contributing to the future integration of the member states. Rather, the impetus for further integration will come from the citizens as well. Likewise, because the process of integration has begun in all three realms, future EU legislation must continue to push for integration across all three realms. Now that the supranational, national, and subnational actors are linked economically, politically, and socially, integration must continue or else risk the disintegration of the EU entirely.

Europeanization Questions, Answered

Based on the synopses of the process of Europeanization and France's experience with that process, it is now possible to answer the overarching questions that motivated this study. The answers to the broader questions build on the answers to the more specific questions. Understanding the impact of Europeanization on the different types of national sovereignty enables an understanding of the overall impact on national sovereignty, ultimately resulting in drawing conclusions about implications for the future

of Europeanization and the nation-state.

There is no doubt that Europeanization has had an impact on the different spheres of sovereignty that were addressed in this study. The impact of Europeanization has been most significant in the economic realm, which was only touched upon briefly. This is due in large part to the fact that the process of Europeanization was born out of the economic realm. Though the impact of Europeanization in the political and social realms is more limited, it is no less important.

From the Maastricht Treaty through the Treaty of Lisbon, the progression of Europeanization in the political realm has been evident. Over time, the EU has become a much more effective political actor, taking more responsibility for various spheres. As would be expected, political integration is strongest in areas where it is related to economic regulation. In France, political integration has been met with wholehearted support when the direction of Europeanization accords with the vision that the French hold of the EU. However, when the visions do not align, the French stand in opposition to political integration. This is due in large part to continuing uncertainty about just how effective the EU will be as a political actor. The French leaders want to hold on to some of their sovereignty as somewhat of a safety net in case political integration fails. However, if Europeanization continues to positively affect the EU's capabilities as an international actor, it is likely that political integration will continue to be supported. The political sovereignty of the nation-state may never be replaced, but a sharing of sovereignty between the state and the EU is feasible and possible.

The evolution of social sovereignty has not occurred to the same extent as has that

of political or economic sovereignty. However, the skeptical optimism with which the French approach social integration does allow for the possibility of the progression of Europeanization. The French are not willing to hand over sovereignty to the EU, but they are willing to explore the possibility of sharing it with the EU. As with political integration, they are in favor of integration when it accords with the notions that they already hold of their sovereignty. In a way, the EU can provide an extra level of protection against the threat that globalization poses to national identity. The creation of an EU value system helps to reassure the French, and others, that there are shared goals that can be pursued more effectively in unison. Unlike in the sphere of political sovereignty, where power and authority are divided by issue, in the social sphere, the EU can be seen as a support for the continued authority of the nation-state.

Thus, Europeanization does not have the same impact on all the different spheres. Economically, the EU has largely replaced the nation-state that now supports the policies of the EU. Politically, power is effectively split between the nation-state and the EU, with each one retaining sovereignty in certain areas. Socially, the nation-state retains sovereignty, with the EU acting as a secondary support in areas that the nation-states considering to be particularly important.

Consequently, Europeanization has not necessarily eroded sovereignty but rather, has caused France and other states to the change the way in which they conceptualize sovereignty. While the states may be losing control in certain areas, their dominance is reaffirmed in other areas. Giving certain facets of power to the EU means that the states gain power in other areas as well. As a result of EU legislation, states are now

responsible for upholding the Charter of Fundamental Rights, national parliaments are required to approve all legislation that is passed down from the EU, and citizens have a formal right to petition the EU. Sovereignty is also being transferred between the different levels of governance: supranational, national and subnational. Actors on the national level are given responsibility for regulating European Affairs. With social integration, citizens are given more power and responsibility in the EU.

Sovereignty is traditionally viewed as an either/or system: either the EU has control or the state has control. What this study has illustrated, however, is that sovereignty can be shared, not only between the EU and the nation-state, but between leaders and citizens within those nation-states as well. Both states and citizens are being empowered in new areas in compensation for areas where they may be losing a degree of control. Europeanization is changing national sovereignty, but it is not destroying it. The process of Europeanization has allowed for a reinterpretation of what national sovereignty means and what the responsibilities of the nation, the state, the nation-state and the European Union are to the world and to one another.

The process of Europeanization has begun, for better or for worse. Now that it has spread through the different spheres traditionally associated with national sovereignty, it has gather momentum and consequently, will continue to march forward. It is likely that economic integration will always be the strongest, with political integration following, and social sovereignty lagging behind somewhat. Though Europeanization may be initiated on the European level, it is a dual process, taking place on the national level as well. For it to be successful, there must be a bargain of sorts

struck between European leaders and domestic leaders and the citizens of all the member states.

So long as Europeanization occurs as a process and is allowed to develop the competencies of the EU slowly, there is no doubt that the EU will continue to be successful. But Europeanization cannot be rushed or forced. As a self-reinforcing process, over time, Europeanization will lead to the closer integration of the member states: from the top down and the bottom up, between states, within states, and across the political, social and economic realms. The European Union is crossing into uncharted international territory, but with the cooperative guidance of the supranational organization and the member states, it can navigate the waters and successfully reach the land of closer integration.

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